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ABSTRACT

The context of the Comprehensive Headstart, Child Development, and Family Services Act of 1972 is presented along with a section-by-section analysis of it. Section 1 is the title. Section 2 is a statement of findings and purpose. Section 3 authorizes appropriations. Title I describes Headstart, Child Development and Family Services Programs which include: Sec. 101, programs assisted; Sec. 102, State and Local Prime Sponsors; (Sec. 103), Child and Family Services Councils; Sec. 104, Program Statements; Sec. 105, Project Applications; Sec. 106, Annual Family Service Plans; Sec. 107, Special Cooperative Programs with Educational Agencies and Other Project Sponsors; Sec. 108, Allocation of Funds; Sec. 109, Additional Conditions for Programs Including Construction or Acquisition; Sec. 110, Use of Public Facilities for Child Development Programs, Sec. 111, Payments. Title II concerns training, technical assistance planning, and evaluation. It includes Sec. 201, Preservice and Inservice Training; and Sec. 202, Technical Assistance and Planning. Title III involves supportive services and special activities. It includes 13 sections related to the operation of the program. (DJ)

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92d Congress }
2d Session }

COMMITTEE PRINT

COMPREHENSIVE HEADSTART, CHILD
DEVELOPMENT, AND FAMILY SERVICES
ACT OF 1972

Bill Text and Section-by-Section Analysis

PREPARED BY THE

SUBCOMMITTEE ON EMPLOYMENT,
MANPOWER, AND POVERTY

OF THE

COMMITTEE ON LABOR AND
PUBLIC WELFARE
UNITED STATES SENATE



JUNE 1972

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Calendar No. 760

92d CONGRESS
2d Session

S. 3617

[Report No. 92-793]

IN THE SENATE OF THE UNITED STATES

MAY 16, 1972

Mr. Nease introduced the following bill; which was read twice and placed
on the calendar

MAY 16, 1972

Reported by Mr. Nease, without amendment

A BILL

To strengthen and expand the Headstart program, with priority to the economically disadvantaged, to amend the Economic Opportunity Act of 1964, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*
- 2 *That this Act may be cited as the "Comprehensive Headstart,*
- 3 *Child Development and Family Services Act of 1972".*

- 5 **STATEMENT OF FINDINGS AND PURPOSE**

- 6 *Sec. 2. (a) The Congress finds that—*

- 7 *(1) child development programs must build upon*
- 8 *the role of the family as the primary and the most*
- 9 *fundamental influence on the development of children,*
- 10 *and must be provided only to children whose parents*
- 11 *or legal guardians request them;*

1 (2) in exercising their moral and legal rights and
2 responsibilities in respect to their children and families,
3 many mothers, and single parents have determined it
4 necessary or desirable to seek child development services
5 for their children in order to engage in employment,
6 training, or education on a full- or part-time basis during
7 hours when their children would ordinarily be in the
8 home or otherwise to enhance the well-being of their
9 families; and

10 (3) while there have been increased developmental
11 services for children of working mothers and single
12 parents and while Headstart and similar programs have
13 provided supplemental educational and other services
14 for children, such services have not been made available
15 to families to the extent that parents consider it necessary
16 to contribute to the full development of their children
17 and to improve the economic well-being of their families,
18 with the result that there are millions of children living in poverty who do not receive adequate educational and other services, and there are millions of other children whose mothers are working full or part time without adequate child development arrangements
19 for their children.

20 (b) It is the purpose of this Act to provide a variety
21 of quality child development and family services in order to

1 assist parents who request such services in providing their
2 children with an opportunity for a healthful and stimulating
3 development, with priority to those preschool children and
4 families with the greatest economic or social needs, in a
5 manner designed to strengthen family life and to insure
6 decisionmaking at the community level through a part-
7 nership of parents, State and local governments and the Fed-
8 eral Government, building upon the experience and success
9 of Headstart and other existing programs.

10 **AUTHORIZATION OF APPROPRIATIONS**

11 Sec. 3. (a) For the purpose of carrying out this Act,
12 there is authorized to be appropriated \$1,200,000,000 for
13 the fiscal year ending June 30, 1974, and \$1,600,000,000
14 for the fiscal year ending June 30, 1975. Any amounts ap-
15 propriated for each fiscal year which are not obligated at the
16 end of such fiscal year may be obligated in the succeeding
17 fiscal year.

18 (b) For the purpose of providing training, technical
19 assistance, planning, and such other activities (including
20 activities authorized under section 106) as the Secretary
21 deems necessary and appropriate to prepare for the imple-
22 mentation of this Act, there is authorized to be appropriated
23 \$150,000,000 for the fiscal year ending June 30, 1973.

24 (c) From the amounts appropriated pursuant to subsec-

1 tion (a) the Secretary shall make funds available in the
2 following manner—

3 (1) \$500,000,000 shall first be used for the pur-
4 pose of providing assistance under title I of this Act for
5 child development programs focused upon young chil-
6 dren from low-income families, giving priority to con-
7 tinued financial assistance for Headstart projects;

8 (2) not to exceed 15 per centum of the remaining
9 amounts so appropriated shall be used for the purpose
10 of carrying out titles II and III of this Act, as the
11 Secretary deems appropriate, but not to exceed 5 per
12 centum of such remaining amounts shall be used for the
13 purpose of carrying out title III of this Act; and

14 (3) the remainder of such amounts shall be used
15 for the purpose of carrying out title I of this Act.

16 (d) (1) For the purpose of affording adequate notice
17 of funding available under this Act such funding for grants,
18 contracts, or other payments under this Act is authorized
19 to be included in the appropriations Act for the fiscal year
20 preceding the fiscal year for which it shall be available for
21 obligation.

22 (2) In order to effect a transition to the advance funding
23 method of timing appropriation action, paragraph (1) of
24 this subsection shall apply notwithstanding that its initial
25 application will result in the enactment in the same year

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1 (whether in the same appropriation Act or otherwise) of
2 two separate appropriations, one for the then current fiscal
3 year and one for the succeeding fiscal year.

4 DEFINITIONS

5 SEC. 4. As used in this Act, the term—

6 (1) "Secretary" means the Secretary of Health,
7 Education, and Welfare;

8 (2) "State" means the several States and the
9 District of Columbia, Puerto Rico, Guam, American
10 Samoa, the Virgin Islands, and the Trust Territory of
11 the Pacific Islands;

12 (3) "child development and family service pro-
13 grams" means programs on a full-day or part-day basis
14 which provide the educational, nutritional, health, and
15 other services needed to provide the opportunity for
16 children to attain their full potential, including services
17 to other family members related to the full educational
18 and other development of children;

19 (4) "children" means individuals who have not
20 attained the age of fifteen;

21 (5) "economically disadvantaged children" means
22 any children of a family having an annual income below
23 the lower living standard budget (adjusted for regional
24 and metropolitan, urban, and rural differences, and fam-

1 ily size), as determined annually by the Bureau of Labor
2 Statistics of the Department of Labor;

3 (6) "handicapped children" includes mentally re-
4 tarded, hard of hearing, deaf, speech impaired, visually
5 handicapped, seriously emotionally disturbed, physically
6 handicapped, crippled, or other health impaired children
7 or children with specific learning or other disabilities who
8 by reason thereof require special education and related
9 services;

10 (7) "program" includes any program, service, or
11 activity, which is conducted full or part time, in special
12 facilities, in schools, in neighborhood centers, or in homes.

13 (8) "parent" means any person who has primary
14 day-to-day responsibility for any child;

15 (9) "single parent" means any person who has
16 sole day-to-day responsibility for any child;

17 (10) "working mother" means any mother who
18 needs child development and family services under this
19 Act in order to undertake or continue full- or part-time
20 work, training, or education outside her home;

21 (11) "minority group" includes, but is not limited
22 to, persons who are Negro, American Indian, Spanish-
23 surnamed American, Portuguese, or Oriental, and, as
24 determined by the Secretary, children who are from
25 environments in which a dominant language is other

1 than English and who, as a result of language barriers,
2 may need special assistance, and, for the purpose of this
3 paragraph, "Spanish-surnamed Americans" include, but
4 is not limited to, persons of Mexican, Puerto Rican,
5 Cuban, or Spanish origin or ancestry.

6 (12) "bilingual" includes, but is not limited to,
7 persons who are Spanish-surnamed Americans, Ameri-
8 can Indian, Oriental, Portuguese, or others who have
9 learned during childhood to speak the language of the
10 minority group of which they are members and who, as
11 a result of language barriers, may need special assistance;

12 (13) "local educational agency" means any such
13 agency as defined in section 801 (f) of the Elementary
14 and Secondary Education Act of 1965;

15 (14) "institution of higher education" means any
16 such institution as defined in section 1201 (a) of the
17 Higher Education Act of 1965;

18 (15) "low-income family" means a family whose
19 annual income is less than the "poverty level" as de-
20 fined by the Director of the Office of Economic Op-
21 portunity;

22 (16) "unit of general local government" means
23 any political subdivision of a State having general gov-
24 ernmental powers.

1 TITLE I—HEADSTART, CHILD DEVELOPMENT,
2 AND FAMILY SERVICES PROGRAMS
3 PROGRAMS ASSISTED

4 SEC. 101. (a) The Secretary shall provide financial
5 assistance to prime sponsors and to other public and private
6 agencies and organizations pursuant to plans, program state-
7 ments, and applications approved in accordance with the
8 provisions of this title for the purpose of carrying out child
9 development and family service programs for children and
10 their families where parents or legal guardians request them,
11 including—

12 (1) preschool programs providing part-day serv-
13 ices and activities designed to prepare children for
14 school in the years before they enter the elementary
15 school grades;

16 (2) in-home services and consultation to assist
17 families with children of preschool age in providing for
18 the healthy growth and the development of each child's
19 full potential;

20 (3) preschool programs providing full-day serv-
21 ices and activities for children when there is no parent
22 at home to provide care;

23 (4) child development programs providing services
24 and activities (including recreation and tutoring pro-
25 grams) for school-age children at times when school is

1 not in session and there is no parent at home to provide
2 care.

3 (b) Financial assistance under this title may be used
4 for—

5 (1) other comprehensive child development serv-
6 ices and programs designed to meet individual needs
7 of children, to assist children in attaining their full
8 potential and to prepare them for school, including but
9 not limited to—

10 (A) programs designed (i) to meet the spe-
11 cial needs of minority group, Indian, and migrant
12 children with particular emphasis on the needs of
13 children from bilingual families for the development
14 of skills in English and the other language spoken
15 in the home, and (ii) to meet the needs of all
16 children to understand the history and cultural back-
17 grounds of ethnic groups, including minority groups,
18 which belong to their communities;

19 (B) diagnosis, identification, and treatment of
20 visual, hearing, speech, medical, dental, nutritional,
21 and other physical, mental, psychological, and emo-
22 tional barriers to full participation in programs.

23 (C) special activities designed to identify and
24 improve identified physical, mental, and emotional

1 handicaps and special learning disabilities as an in-
2 incorporated part of programs conducted under this
3 title and, where necessary because of the severity of
4 such handicaps, establishing, maintaining, and oper-
5 ating separate child development and family serv-
6 ices programs designed primarily to meet the needs
7 of handicapped children, including emotionally dis-
8 turbed children;

9 (D) special food and nutritional services; and
10 (E) emergency child development programs
11 for children of parents who are sick, incapacitated,
12 or for other urgent reasons, temporarily unable to
13 provide adequate care for their children.

14 (2) other programs designed to support and en-
15 hance family life and contribute to the full development
16 of children, including but not limited to the following—
17 (A) (i) prenatal and other medical services to
18 expectant mothers who cannot afford such serv-
19 ices, designed to help reduce malnutrition, infant
20 and maternal mortality, and the incidence of mem-
21 tal retardation and other handicapping conditions,
22 and (ii) postpartum and other medical services to
23 recent mothers;

24 (B) referral services for family planning, and

1 purchase of such services when not otherwise
2 available;

3 (C) programs including home services to pre-
4 pare adolescents and other family members for fam-
5 ily responsibilities, including assistance to public
6 secondary schools and nonprofit organizations to im-
7 plement courses for adolescents and provide op-
8 portunities for the participation of adolescents in
9 child development and family service programs
10 authorized under this title;

11 (3) preservice and inservice education and other
12 training designed to prepare professional and parapro-
13 fessional personnel and parents and other family mem-
14 bers to provide child development and family services;

15 (4) dissemination of information in the functional
16 language of those to be served to assure that parents
17 are well informed of child development and family serv-
18 ice programs available to them and may become di-
19 rectly involved in such programs;

20 (5) programs designed to extend comprehensive
21 prekindergarten early childhood education techniques
22 and gains (particularly parent participation) into kin-
23 dergarten and early primary grades (one through
24 three) in cooperation with local educational agencies;

1 (6) parent and child centers, homestart, follow-
2 through and other supplementary services and activities.
3 (7) rental, lease or lease-purchase, mortgage
4 amortization payments, remodeling, renovation, altera-
5 tion, acquisition of necessary equipment and supplies,
6 and to the extent authorized in section 109, construction
7 or acquisition of facilities, including mobile facilities;
8 (8) allowances for transportation and other costs
9 with respect to children in cases where such costs
10 are necessary to and directly related to such child's par-
11 ticipation in programs under this title;
12 (9) examination and inspection of child develop-
13 ment and family service facilities for lead poisoning and
14 other hazards and the correction of such hazards in the
15 facilities;
16 (10) staff and other administrative expenses of
17 child and family service councils, local program councils,
18 and project policy committees established and operated
19 in accordance with the provisions of this title; and
20 (11) such other services and activities as the Sec-
21 retary deems appropriate in furtherance of the purposes
22 of this title.

23 **STATE AND LOCAL PRIME SPONSORS**

24 **SEC. 102.** (a) In accordance with the provisions of this
25 section, the Secretary may designate as a prime sponsor for

- 1 the purpose of entering into arrangements directly with the
- 2 Secretary to carry out programs under this title within a
- 3 State the following:
 - 4 (1) any State;
 - 5 (2) any unit of general local government or any
 - 6 combination of such units having a total population of
 - 7 twenty-five thousand or more persons on the basis of the
 - 8 most satisfactory current data;
 - 9 (3) any unit of general local government or any
 - 10 combination of such units, without regard to population,
 - 11 subject to a demonstration by the applicant that it has
 - 12 (A) it has the capability to carry out adequately a
 - 13 comprehensive child development and family service pro-
 - 14 gram, and (B) there is a particular demand for services
 - 15 and availability of resources within the area to be served;
 - 16 (4) any Indian tribal organization;
 - 17 (5) any other public or private nonprofit agency
 - 18 meeting the requirements of subsection (h) of this
 - 19 section.
- 20 (h) Such applicants under this subsection may be des-
- 21 ignated if the Secretary determines that the applicant has
- 22 the capability of effectively carrying out comprehensive pro-
- 23 grams under this Act and has submitted a satisfactory prime
- 24 sponsorship plan which—

1 (1) describes the prime sponsorship area to be
2 served;

(2) sets forth satisfactory provisions for establishing and maintaining a child and family services council which meets the requirements of section 103.

13 (4) sets forth arrangements under which the Child
14 and Family Service Council will be entitled to ap-
15 prove program statements, basic goals, policies, and
16 procedures and the selection or establishment and annual
17 renewal of any agency or agencies under paragraph (3)
18 of this section and will be responsible for annual and
19 ongoing evaluation of child development and family serv-
20 ice programs conducted in the prime sponsorship area
21 according to criteria established by the Secretary;

(5) provides assurances that staff and other administrative expenses for the Child and Family Service Councils and Local Program Councils and Project Policy Committees will not exceed 5 per centum of the total cost

1 of child development programs administered by the
2 prime sponsors unless such per centum limitation is in-
3 creased to give special consideration to initial cost in the
4 first operational year, in accordance with regulations
5 which the Secretary shall prescribe:

6 (6) provides assurances that the prime sponsor will
7 provide, in an effective, coordinated, and comprehensive
8 manner (through the administering agency or agencies
9 established or selected pursuant to this subsection), di-
10 rectly or by contract or arrangement with State, local,
11 or other public agencies or private nonprofit agencies or
12 organizations, where available—

13 (A) child-related family, social, and rehabilita-
14 tive services;

15 (B) coordination with educational agencies and
16 providers of educational services;

17 (C) health (including family planning) and
18 mental health services;

19 (D) nutrition services;

20 (E) training of professional and paraprofes-
21 sional personnel;

22 (F) where necessary full-time administrative
23 personnel to conduct the program;

24 (7) sets forth procedures to insure that all project
25 applicants for financial assistance in the area to be

1 served are given due consideration, in accordance with
2 regulations promulgated by the Secretary;

3 (8) in the case of an applicant for prime sponsor-
4 ship which is a State applying for designation as prime
5 sponsor for geographical areas within the State which
6 are not otherwise served by a prime sponsor,
7 in addition to the provisions otherwise required to be
8 included in its prime sponsorship plan in accordance with
9 this section, sets forth adequate provisions--

10 (A) for designating local family service areas
11 each of which shall serve a geographical area cov-
12 ered by (i) a unit of general local government, or
13 (ii) units of general local government serving a total
14 population of not more than fifty thousand persons
15 except that the Secretary may, upon application by
16 such prime sponsors, permit designation of one or
17 more local family service areas serving a population
18 of not more than one hundred thousand persons
19 where necessary in order to carry out most effec-
20 tively the purposes and provisions of this Act;

21 (B) for establishing and maintaining with re-
22 spect to each local family service area a local pro-
23 gram council composed so that (i) not less than half
24 of the members of each such council shall be parent
25 members who shall be chosen initially by parents

1 who are recipients of federally assisted day care
2 services, with equitable and appropriate considera-
3 tion to parents selected by the parent members of
4 Headstart policy committees where they exist, and
5 at the earliest practicable time by the parent mem-
6 bers of project policy committees, and (ii) the re-
7 mainder shall be public members broadly representa-
8 tive of the general public, as described in section
9 103 (a) (2) (A), appointed by the chief executive
10 officers or the governing bodies, as appropriate, of
11 the units of general local government within the
12 local program area;

13 (C) to assure that the program statement to
14 be submitted by the State which affects each local
15 family service area is developed and prepared
16 with full participation and approval of the ap-
17 propriate local program council; and

18 (D) to assure that contracts for the operation of
19 programs through public or private agencies or or-
20 ganizations shall be entered into only if previously
21 approved by the local program council for the ap-
22 propriate local family service area.

23 (e) Any local program council may appeal directly to
24 the Secretary whenever such council alleges that with respect

- 1 to its portion of the program statement the State has failed
- 2 to comply with the provisions of the program statement or
- 3 the provisions of this Act.

4 (d) (1) The Secretary shall approve a prime sponsor-
5 ship plan submitted by a State if he determines that the plan
6 so submitted meets the requirements of this section and sets
7 forth adequate arrangements for serving all geographical
8 areas under its jurisdiction except for areas with respect to
9 which local prime sponsors are or will be otherwise desig-
10 nated pursuant to this section.

11 (2) Notwithstanding subsections (e), (f), and (g) of
12 this section, the Secretary is authorized, in accordance with
13 this paragraph, to approve Statewide prime sponsorship
14 plans which he determines set forth satisfactory arrange-
15 ments for carrying out demonstration projects providing for
16 the State to be designated as prime sponsor for the entire
17 State and which meet each of the requirements of subsections
18 (b) and (c) of this section. The Secretary shall designate
19 as Statewide prime sponsors under this paragraph not more
20 than five States which have demonstrated capability and
21 leadership in the field of child development and which are
22 located in various regions of the Nation and have a variety
23 of characteristics, including differing population sizes and
24 urban, metropolitan, and rural area and industrial and work
25 force composition. A State shall be designated as a Statewide

1 prime sponsor under this paragraph only if the Secretary
2 determines that—
3 (A) the population of such State does not exceed
4 5 per centum of the total population of all of the States
5 in the Nation;
6 (B) no reasonable opportunity has been provided
7 to each unit of general local government or combination
8 thereof or Indian tribal organization within such State
9 eligible under paragraph (2) or (4) of subsection (a)
10 of this section to submit comments to the State and to the
11 Secretary; and
12 (C) the prime sponsorship plan submitted by such
13 State takes into account, to the extent appropriate, the
14 comments submitted in accordance with clause (B) of
15 this paragraph.
16 (e) (1) The Secretary shall approve a prime sponsor-
17 ship plan submitted by a unit of general local govern-
18 ment which is (A) a city eligible under subsection (a) (2)
19 of this section, or (B) a county or other unit of general local
20 government eligible under subsection (a) (2) of this section
21 (excluding the number of such persons included within the
22 population of any city which is designated as a prime sponsor
23 under clause (A) of this paragraph), if he determines that
24 the plan so submitted meets the requirements of subsection
25 (a) of this section and includes adequate provisions for carry-

1 ing out comprehensive child development and family services
2 programs in the area covered by such unit of general local
3 government.

4 (2) In the event that the area under the jurisdiction
5 of a unit of general local government described in clause
6 (A) or (B) of paragraph (1) of this subsection includes
7 any common geographical area with that covered by an
8 other such unit of general local government, the Secretary
9 shall designate to serve such area the unit of general local
10 government which he determines has the capability of more
11 effectively carrying out the purposes of this title with re-
12 spect to such area and which has submitted a plan which
13 meets the requirements of subsection (a) of this section
14 and includes adequate provisions for carrying out compre-
15 hensive child development and family services programs in
16 such area.

17 (1) The Secretary shall approve a prime sponsor-
18 ship plan submitted by a combination of units of general
19 local government eligible under subsection (a) (2) of this
20 section (excluding the number of such persons included
21 within the population of any city which is designated as
22 a prime sponsor under clause (A) of subsection (c) (1)),
23 if he determines that the plan so submitted meets the
24 requirements of subsection (a) of this section and includes
25 adequate provisions for carrying out comprehensive child

1 development and family services programs in the area cov-
2 ered by the combination of such units of general local
3 government.

4 (g) The Secretary shall approve a prime sponsorship
5 plan submitted by an Indian tribal organization if he deter-
6 mines that the plan so submitted meets the requirements
7 of subsection (a) of this section and includes adequate pro-
8 visions for carrying out comprehensive child development
9 and family services programs in the area to be served.

10 (h) The Secretary may approve a prime sponsorship
11 plan submitted by a unit or combination of units of general
12 local government or by a public or private nonprofit agency,
13 including but not limited to a community action agency,
14 single-purpose Headstart agency, public or private edu-
15 cational agency or institution, community development
16 corporation, parent cooperative, organization of migrant
17 agricultural workers, organization of Indians, employer
18 organization, labor union, or employee or labor-management
19 organization, if he determines that the plan so submitted
20 meets the requirements of subsection (a) of this section
21 and includes provisions setting forth—

22 (1) arrangements for serving children in a com-
23 munity or neighborhood or other urban or rural area
24 possessing a commonality of interest (A) with respect
25 to which there is no prime sponsorship designation in

1 effect, or (B) with respect to any portion of an area
2 where a designated prime sponsor is found not to be
3 satisfactorily implementing child development and fami-
4 ly services programs which adequately meet the pur-
5 poses of this part, or (C) for making available special
6 services, in accordance with criteria established by the
7 Secretary, designed to meet the needs of economically
8 disadvantaged or preschool children or children of work-
9 ing mothers or single parents; or

10 (2) arrangements for providing comprehensive
11 child development and family services programs on a
12 year-round basis to children of migrant agricultural
13 workers and their families; or

14 (3) arrangements for carrying out model pro-
15 grams especially designed to be responsive to the needs
16 of economically disadvantaged, minority group, bili-
17 gual, or preschool children or to demonstrate the feasi-
18 bility of conducting child development and family serv-
19 ices programs on the basis of a neighborhood or other
20 area possessing a commonality of interest in any locality.

21 (i) The Governor shall be given not less than thirty
22 nor more than sixty days to review applications for prime
23 sponsorship designation submitted by any applicant other
24 than the State, to offer recommendations to the applicant,
25 and to submit comments to the Secretary.

1 (j) A prime sponsorship plan submitted under this
2 section may be disapproved or a prior designation of a prime
3 sponsor may be withdrawn only if the Secretary, in ac-
4 cordance with regulations which he shall prescribe, has pro-
5 vided (1) written notice of intention to disapprove such plan,
6 including a statement of the reasons therefor, (2) a reason-
7 able time in which to submit corrective amendments to such
8 plan or undertake other necessary corrective action, and (3)
9 an opportunity for a public hearing upon which basis an
10 appeal to the Secretary may be taken as of right.

11 (k) (1) If any party is dissatisfied with the Secre-
12 tary's final action under subsection (j) with respect to the
13 disapproval of its plan submitted under this section or the
14 withdrawal of its prime sponsorship designation, such party
15 may, within sixty days after notice of such action, file with
16 the United States court of appeals for the circuit in which
17 such party is located a petition for review of that action.
18 A copy of the petition shall be forthwith transmitted by
19 the clerk of the court to the Secretary. The Secretary there-
20 upon shall file in the court the record of the proceedings
21 on which he based his action, as provided in section 2112 of
22 title 28, United States Code.

23 (2) The findings of fact by the Secretary, if supported
24 by substantial evidence, shall be conclusive, but the court,
25 for good cause shown, may remand the case to the Secretary

1 to take further evidence. The Secretary may make new or
2 modified findings of fact and may modify his previous action,
3 and shall certify to the court the record of the further pro-
4 ceedings. Such new or modified findings of fact shall be
5 conclusive if supported by substantial evidence.

6 (3) The court shall have jurisdiction to affirm the
7 action of the Secretary or to set it aside, in whole or in part.
8 The judgment of the court shall be subject to review by the
9 Supreme Court of the United States upon certiorari or certi-
10 fication as provided in section 1254 of title 28, United States
11 Code.

12 (l) When any unit or combination of units of general
13 government or other prime sponsor is maintaining a pattern
14 or practice of discrimination against minority group per-
15 sons or against economically disadvantaged children, the
16 Secretary shall approve the application for prime sponsor-
17 ship of an alternative unit of government or public or private
18 nonprofit agency or organization in the area which will
19 equitably serve minority group and economically disadvan-
20 taged children.

21 (m) In the event that a State, a unit or combination of
22 units of general local government, or an Indian tribal or-
23 ganization has not submitted a program statement under this
24 section or the Secretary has not approved a plan so sub-
25 mitted, or where the Secretary has not designated or has

1 withdrawn designation of prime sponsorship under this sec-
2 tion, or where the needs of migrants, pre-school-age children,
3 or the children of working mothers or single parents, minor-
4 ity groups, or the economically disadvantaged are not being
5 served, the Secretary may directly fund projects, including
6 those in rural areas without regard to population, that he
7 deems necessary in order to serve the children of the par-
8 ticular area.

9 **CHILD AND FAMILY SERVICES COUNCILS**

10 SEC. 103. (a) Each prime sponsor designated under
11 section 102 shall establish and maintain a Child and Family
12 Services Council composed of not less than ten members
13 as follows—

14 (1) not less than half the members of such Council
15 shall be parents of children served in programs under
16 this Act chosen in accordance with the provisions of
17 paragraph (1) of subsection (b) of this section;

18 (2) the remaining members shall be appointed by
19 the chief executive officer or the governing body, which-
20 ever is appropriate, of the prime sponsor to represent
21 the public, but (A) not less than half of such members
22 shall be persons who are broadly representative of the
23 general public, including government agencies, public
24 and private agencies and organizations in such fields as
25 education, economic opportunity, health, welfare, em-

1 ployment and training, business or financial organizations
2 or institutions, labor unions, and employers, and (B) the
3 remaining members, the number of which shall be either
4 equal to or one less than the number of members ap-
5 pointed under clause (A), shall be persons who are par-
6 ticularly skilled by virtue of training or experience in
7 child development, child health, child welfare, education
8 or other child and family services, except that the Secre-
9 tary may waive the requirement of this clause (B) to
10 the extent that he determines, in accordance with regu-
11 lations which he shall prescribe, that such persons are
12 not available to the area to be served; and

13 (3) in establishing a Child and Family Services
14 Council under this section, the prime sponsor shall give
15 due consideration to the membership of day care coordi-
16 nating bodies then existing in the area to be served.

17 At least one-third of the total membership of the Child
18 and Family Services Council shall be persons who are eco-
19 nomically disadvantaged. Each Council shall select its own
20 chairman.

21 (b) In accordance with procedures which the Secretary
22 shall establish pursuant to regulations, each prime sponsor
23 designated under section 102 shall provide, with respect to
24 the Child and Family Services Councils established and main-
25 tained by such prime sponsor, that—

1 (1) the parent members described in paragraph (1)
2 of subsection (a) of this section shall be chosen as
3 follows:

4 (A) in the case of Councils established by
5 prime sponsors which are States, by the parent
6 members of local program councils established
7 under section 102(b)(8); and

8 (B) in the case of Councils established by prime
9 sponsors other than States (and by States with re-
10 spect to local program councils) initially by par-
11 ents who are recipients of federally assisted day
12 care services, with equitable and appropriate con-
13 sideration to parents selected by the parent members
14 of Headstart policy committees and, at the earliest
15 practicable time by the parent members of project
16 policy committees;

17 (2) the terms of office and any other policies and
18 procedures of an organizational nature, including nom-
19 ination and election procedures, are appropriate in ac-
20 cordance with the purposes of this Act;

21 (3) such Council shall be entitled to approve pro-
22 gram statements, basic goals, policies, and procedures
23 and the selection or establishment and annual renewal
24 of an administering agency or agencies, and will be re-
25 sponsible for annual and ongoing evaluation of child

1 development and family service programs according to
2 criteria established by the Secretary; and

3 (4) such Council shall, upon its own initiative
4 or upon request of a project applicant or any other
5 party in interest, conduct public hearings before action is
6 taken by the prime sponsor upon applications for finan-
7 cial assistance submitted by project applicants under
8 this title.

PROGRAM STATEMENTS

Sec. 104. (a) Financial assistance under this title may be provided by the Secretary for any fiscal year to a prime sponsor designated under section 102 only pursuant to a program statement which is submitted by such prime sponsor directly to and approved by the Secretary in accordance with the provisions of this title. Any such program statement shall set forth a comprehensive program for providing child development and family services in the prime sponsorship area which—

(1) provides that programs or services under this title shall be provided only for children whose parents request them;

22 (2) identifies child development and family service
23 needs and goals within the area to be served and de-
24 scribes the purposes for which the financial assistance
25 will be used;

1 (3) meets the needs of children and families in the
2 prime sponsorship area, to the extent that available funds
3 can be reasonably expected to have an effective impact,
4 with priority to children who have not attained six
5 years of age;

6 (4) (A) provides that funds received under section
7 3(e) (1) of this title will be used for child development
8 programs and services focused upon young children from
9 low-income families, giving priority to continued finan-
10 cial assistance for Headstart projects by reserving for
11 such projects from such funds in any fiscal year an
12 amount at least equal to the aggregate amount received
13 by public or private agencies and organizations within
14 the prime sponsorship area for programs during the fiscal
15 year ending June 30, 1973, under section 222(a) (1)
16 of the Economic Opportunity Act of 1964, and (B)
17 provides that programs receiving funds under section
18 3(e) (3) will give priority to providing services for eco-
19 nomically disadvantaged children by reserving not less
20 than 65 per centum of such funds for the purpose of
21 serving economically disadvantaged children.

22 (5) gives priority thereafter to providing child
23 development and family services programs and services
24 to children of working mothers and single parents not
25 covered under paragraph (4);

1 (6) provides for direct parent participation in the
2 conduct, overall direction, and evaluation of programs;

3 (7) provides procedures for the approval of proj-
4 ect applications submitted in accordance with section
5 105;

6 (8) provides in the case of a prime sponsor which
7 is a State that project applications shall be approved by
8 the prime sponsor only if previously approved by the
9 local program council for the appropriate local family
10 service area;

11 (9) (A) provides, in the case of a prime sponsor lo-
12 cated within or adjacent to a metropolitan area, for co-
13 ordination with other prime sponsors located within such
14 metropolitan area, and arrangements for cooperative
15 funding where appropriate, and particularly for such
16 coordination where appropriate to meet the needs for
17 child development and family services of children of par-
18 ents working or participating in training or otherwise
19 occupied during the day within a prime sponsorship area
20 other than that in which they reside;

21 (B) provides for coordination of other federally
22 funded child development and family service, child care,
23 and related programs (including those relating to man-
24 power training and employment) with the programs
25 assisted under this Act, as required pursuant to regula-

1 tions established by the Secretary under Section 311 (b)
2 of this Act.

3 (C) assures that procedures and mechanisms for
4 coordination have been developed in cooperation with
5 agencies and organizations carrying out preschool pro-
6 grams and administrators of local educational agencies
7 and nonpublic schools, at the local level, to provide
8 continuity between programs for preschool and ele-
9 mentary school children and to coordinate programs
10 conducted under this title and programs conducted
11 pursuant to section 222(a) (2) of the Economic Op-
12 portunity Act of 1964 and the Elementary and Second-
13 ary Education Act of 1965; and

14 (D) establishes arrangements in the area served
15 for the coordination of programs conducted under the
16 auspices of or with the support of business or financial
17 institutions or organizations, industry, labor, employee
18 and labor-management organizations, and other com-
19 munity groups;

20 (10) provides that, to the extent feasible, each pro-
21 gram within the prime sponsorship area shall include
22 children from a range of socioeconomic backgrounds;

23 (11) provides comprehensive services (A) to meet
24 the special needs of minority group children and chil-
25 dren of migrant agricultural workers with particular

1 emphasis on the needs of children from bilingual families
2 for the development of skills in English and in the other
3 language spoken in the home, and (B) to meet the
4 needs of all children to understand the history and
5 cultural background of minority groups which belong
6 to the communities;

7 (12) provides equitably for the child development
8 and family services needs of children from each minority
9 group and significant segment of the economically disad-
10 vantaged residing within the area served;

11 (13) includes a career development plan for para-
12 professional and professional training, education, and ad-
13 vancement on a career ladder;

14 (14) provides that, insofar as possible, persons
15 residing in communities being served by such projects
16 will be employed therein, including in-home and part-
17 time employment and opportunities for training in pro-
18 grams under title II of this Act, with special considera-
19 tion for career opportunities for low-income persons;

20 (15) provides for the regular and frequent dis-
21 semination of information in the functional language of
22 those to be served, to assure that parents and other inter-
23 ested persons in the community are fully informed of
24 the activities of the prime sponsor, Child and Family

1 Services Council, local program councils, and of delegate
2 agencies;

3 (16) sets forth provisions describing any arrange-
4 ments for the delegation, under the supervision of the
5 Child and Family Services Council, to public or private
6 agencies, institutions, or organizations, of responsibilities
7 for the delivery of programs, services, and activities for
8 which financial assistance is provided under this Act or
9 for planning or evaluation services to be made available
10 with respect to programs under this Act;

11 (17) contains plans for regularly conducting sur-
12 veys and analyses of needs for child development and
13 family services programs in the prime sponsorship area
14 and for submitting to the Secretary a comprehensive
15 annual report and evaluation in such form and contain-
16 ing such information as the Secretary shall require by
17 regulation;

18 (18) provides assurances satisfactory to the Secretary
19 that the non-Federal share requirements will be met;

20 (19) provides for such fiscal control and funding
21 accounting procedures as the Secretary may prescribe
22 to assure proper disbursement of and accounting for
23 Federal funds paid to the prime sponsor;

24 (20) provides that special consideration will be

1 given to project applications submitted by public and
2 private nonprofit agencies and organizations with on-
3 going programs;

4 (2) provides procedures for the Council to select,
5 and establish policy with respect to tenure and status of,
6 its employees.

7 (b) No program statement or modification thereof sub-
8 mitted by a prime sponsor under this section shall be ap-
9 proved by the Secretary unless he determines, in accord-
10 ance with regulations which the Secretary shall prescribe,
11 that—

12 (1) each community action agency or single-pur-
13 pose Headstart agency in the area to be served previ-
14 ously responsible for the administration of programs un-
15 der this part or under section 222(a)(1) of the Eco-
16 nomic Opportunity Act of 1964 has had an opportunity
17 to submit comments to the prime sponsor and to the
18 Secretary;

19 (2) the local educational agency for the area to
20 be served and other appropriate educational and train-
21 ing agencies and institutions have had an opportunity to
22 submit comments to the prime sponsor and to the Sec-
23 retary; and

24 (3) in the case of a plan submitted by a prime
25 sponsor other than the State, the State Child and Fam-

1 ily Services Council has had an opportunity to submit
2 comments to the prime sponsor and to the Secretary.

(c) A program statement submitted under this section may be disapproved or a prior approval withdrawn only if the Secretary, in accordance with regulations which he shall prescribe, has provided (1) written notice of intention to disapprove such plan, including a statement of the reasons therefor, (2) a reasonable time to submit corrective amendments to such plan or undertake other necessary corrective action, and (3) an opportunity for a public hearing upon which basis an appeal to the Secretary may be taken as of right.

13 (d) In order to contribute to the effective administra-
14 tion of this title, the Secretary shall establish appropriate pro-
15 cedures to permit prime sponsors to submit jointly a single
16 program statement for the areas served by such prime
17 sponsors.

18 PROJECT APPLICATIONS

19 SEC. 103. (a) Financial assistance under this title may
20 be provided to a project applicant for any fiscal year only
21 pursuant to a project application which is submitted by a
22 public or private agency and which provides—

23 (1) that funds will be provided for carrying out any
24 child development and family services program under
25 this title only to a qualified public or private agency or

organization, including but not limited to a community action agency, single-purpose Headstart agency, public or private educational agency or institution, community development corporation, parent cooperative, organization of migrant agricultural workers, organization of Indians, private organization interested in child development, employer or business organization, labor union, or employee or labor-management organization:

(2) for establishing and maintaining project policy committees composed of not less than ten members as follows—

(A) not less than half of the members of each such committee shall be parents of children served by such project, and

(B) the remaining members of each such committee shall consist of (i) persons who are representative of the community and who are approved by the parent members, and (ii) one person who is particularly skilled by virtue of training or experience in child development, child health, child welfare, or other child care services, except that the Secretary may waive the requirement of this clause (ii) where he determines, in accordance with regulations which he shall prescribe, that such person is not available to the area to be served;

- 1 (3) for direct participation of such project policy
2 committees in the development and preparation of
3 project applications under this title;
- 4 (4) that adequate provision will be made for training
5 and other administrative expenses of such project
6 policy committees (including necessary expenses to en-
7 able low-income members to participate in council or
8 committee meetings);
- 9 (5) that project policy committees shall have
10 responsibility for approving basic goals, policies, actions,
11 and procedures for the project applicant, and for plan-
12 ning, overall conduct, personnel, budgeting, location of
13 centers and facilities, and direction and evaluation of
14 projects;
- 15 (6) that programs assisted under this title will
16 provide for such comprehensive health, nutritional, edu-
17 cation, social, and other services, as are necessary for
18 the full development of each participating child;
- 19 (7) that adequate provision will be made for the
20 regular and frequent dissemination of information in the
21 functional language of those to be served, to assure that
22 parents and interested persons are fully informed of
23 project activities;
- 24 (8) that with respect to child development and

1 family services provided by programs assisted under this
2 title—

3 (A) no charge will be made with respect to
4 any child who is a member of any family with an
5 annual income equal to or less than \$4,320 with
6 appropriate adjustments in the case of families hav-
7 ing more than two children, except to the extent
8 that payment will be made by a third party (in-
9 cluding a public agency); and

10 (B) such charges as the Secretary may pro-
11 vide will be made with respect to any child of any
12 other family, in accordance with an appropriate fee
13 schedule established by him, designed to permit en-
14 rollment or continued participation in the program
15 as family income increases and based upon the abil-
16 ity of the family to pay, which payment may be
17 made in whole or in part by a third party in behalf
18 of such family, except that any such charges with
19 respect to any family with an income of less than
20 the lower living standard budget (as determined in
21 accordance with paragraph (5) of section 4) shall
22 not exceed the sum of (i) an amount equal to 10
23 per centum of any family income which exceeds the
24 highest income level at which no charges would be
25 made with respect to children of such family under

1 subparagraph (A) but does not exceed 85 per
2 centum of such lower living standard budget, and
3 (ii) an amount equal to 15 per centum of any family
4 income which exceeds 85 per centum of such lower
5 living standard budget but does not exceed 100 per
6 centum of such lower living standard budget, and,
7 if more than two children from the same family are
8 participating, additional charges may be made not
9 to exceed the sum of the amounts calculated in ac-
10 cordance with clauses (i) and (ii) with respect to
11 each such additional child or, the actual cost of
12 services, whichever is less, except that charges
13 less than those prescribed by the Secretary pur-
14 suant to this paragraph (B) may be made with
15 respect to any program, where the Secretary, upon
16 application of any prime sponsor, determines that
17 such lower charges are necessary in order to take
18 into account actual living expenses within the prime
19 sponsorship area, to meet the special needs of eco-
20 nomically disadvantaged persons within such area,
21 or to insure consistency with fee schedules for simi-
22 lar services under other laws;

23 (9) that children will in no case be excluded from
24 the programs operated pursuant to this title because of
25 their participation in nonpublic preschool or school pro-

1 grams or because of the intention of their parents to en-
2 roll them in nonpublic schools when they attain school
3 age;

4 (10) that programs will, to the extent appropriate,
5 employ paraprofessional aides and volunteers, especially
6 parents, older children, students, older persons, and per-
7 sons preparing for careers in child development
8 programs;

9 (11) that no person will be denied employment in
10 any program solely on the ground that such person fails
11 to meet State or local teacher certification standards;

12 (12) that there are assurances satisfactory to the
13 Secretary that the non-Federal share requirements will
14 be met; and

15 (13) that provision will be made for such fiscal
16 control and fund accounting procedures as the Secre-
17 tary shall prescribe to assure proper disbursement of
18 and accounting for Federal funds.

19 (b) A project application may be approved by a prime
20 sponsor upon its determination that such application meets
21 the requirements of this section and that the programs pro-
22 vided for therein will otherwise further the objectives and
23 satisfy the appropriate provisions of the prime sponsor's
24 program statement as approved pursuant to section 104.

25 (c) A project application from a public or private

1 nonprofit agency which is also a prime sponsor under sec-
2 tion 102 shall be submitted directly to the Secretary, to-
3 gether with the program statement.

4 (d) A prime sponsor may disapprove a project appli-
5 cation only if it provides to the project applicant a written
6 statement of the reasons therefor. Such project applicant
7 may submit an appeal to the Secretary requesting the direct
8 approval of such application or modification thereof. Any
9 such appeal shall include such comments, including the
10 project applicant's response to the prime sponsor's statement
11 of reasons for disapproval, as the project applicant may
12 deem appropriate or as the Secretary may require.

13 (e) A project application submitted directly to the
14 Secretary may be approved by the Secretary upon his de-
15 termination that it meets the requirements of subsection (a)
16 of this section.

17 ANNUAL FAMILY SERVICE PLANS

18 SEC. 106. (a) In addition to any program statement
19 submitted with respect to fiscal years beginning after June
20 30, 1973, any State desiring to receive additional financial
21 assistance pursuant to section 108(a)(3) for its own use,
22 or for grants to or contracts with prime sponsors within such
23 States, for activities authorized in this title, shall submit an
24 annual family service plan.

25 (b) Such plan shall be approved by the Secretary upon

1 a determination that it sets forth adequate agreements be-
2 tween State and local prime sponsors for maximum coordina-
3 tion of child development and family services within the State
4 and for full utilization of resources within the State, includ-
5 ing, but not limited to agreements with respect to—
6 (1) the determination of general child development
7 and family service goals and needs throughout the State;
8 (2) comprehensive planning and coordination of
9 child development and family service programs to be
10 conducted within the State;
11 (3) arrangements under which State agencies shall
12 assist in the establishment of Child and Family Services
13 Councils and in strengthening the capability of such
14 Councils to participate effectively in programs under this
15 Act where requested by local prime sponsors;
16 (4) arrangements under which State agencies shall
17 assist in providing health, educational, family planning,
18 education, nutrition, and other components of child de-
19 velopment and family service programs and facilities
20 and training related thereto where requested by local
21 prime sponsors in the development and implementation
22 of program statements submitted by local prime
23 sponsors;
24 (5) arrangements for conducting programs for the

1 exchange of personnel involved in child development and
2 family service programs within the State;

3 (6) procedures for assessing State and local licens-
4 ing codes and tracking standards as they relate to child
5 development and family service programs within the
6 State; and

7 (7) procedures for disseminating model program in-
8 formation and the results of research on programs for
9 children and families.

10 SPECIAL COOPERATIVE PROGRAMS WITH EDUCATIONAL
11 INSTITUTIONS AND OTHER PROJECT SPONSORS

12 SEC. 107. (a) The Secretary shall provide assistance
13 made available for the purposes of this section pursuant to
14 clause (e) of section 108 (a) (1) of this title to educational
15 agencies and institutions to be used by such agencies
16 and institutions in cooperation with other project applicants
17 pursuant to program statements for the purpose of planning,
18 carrying out, and evaluating cooperative programs and activ-
19 ities designed to provide continuity between preschool pro-
20 grams, afterschool programs and educational and related
21 programs conducted by such agencies and institutions, in-
22 cluding those conducted under the Elementary and Secondary
23 Education Act of 1965, such as joint design of programs,
24 provision for interchange and progression of children between

1 programs, cooperative use of professional, technical and
2 administrative personnel and development of sequential pro-
3 grams to be conducted by several component agencies or
4 organizations.

5 (b) Nothing in this section shall be construed to limit
6 the opportunity of any agency or institution receiving assist-
7 ance under this section from otherwise receiving assistance
8 under this title.

9 **ALLOCATION OF FUNDS**

10 SEC. 108. (a) (1) From the amounts available for
11 carrying out comprehensive child development and family
12 services programs under this title, (after making the reser-
13 vations provided for in clauses (1) and (2) of section 3(c)
14 of this Act), the Secretary shall reserve the following:

15 (A) not less than that proportion of the total
16 amount available for carrying out this title as is
17 equivalent to that proportion which the total number
18 of children of migrant agricultural workers bears to
19 the total number of economically disadvantaged chil-
20 dren in the United States, which shall be apportioned
21 among programs serving children of migrant agricultural
22 workers on an equitable basis, and to the extent prac-
23 ticable in proportion to the relative numbers of children
24 served in each such program;

25 (B) not less than that proportion of the total

1 amount available for carrying out this title as is
2 equivalent to that proportion which the total number
3 of children in Indian tribal organizations bears to the
4 total number of economically disadvantaged children in
5 the United States, which shall be apportioned among
6 programs serving children in Indian tribal organizations
7 on an equitable basis, and to the extent practicable in
8 proportion to the relative numbers of children in each
9 such program;

10 (C) not less than 10 per centum of the total
11 amount available for carrying out this title, which
12 shall be made available for the purposes of section
13 101(b)(1)(C) of this title (relating to special ac-
14 tivities for handicapped children);

15 (D) not less than 5 per centum nor more than 10
16 per centum of the total amount available for carrying out
17 this title, which shall be made available under sec-
18 tion 102(h)(3) of this title (relating to model pro-
19 grams); and

20 (E) not less than 5 per centum of the total amount
21 available for carrying out this title, which shall be made
22 available under section 107 of this title (special co-
23 operative programs with educational institutions).

24 (2) The Secretary shall allocate the remainder of the
25 amounts available for this title (except for funds

1 made available under paragraphs (1) and (3) of section
2 3 (c) of this Act) among the States, and within the States
3 among local areas, so as to provide, to the extent practicable,
4 for the geographical distribution of such remainder in such
5 a manner that—

6 (A) 50 per centum thereof shall be apportioned
7 among the States, and within each State among local
8 areas, in proportion to the relative number of economi-
9 cally disadvantaged children in each State and local
10 area, respectively, excluding those children who are
11 eligible for services under clauses (A) and (B) of
12 paragraph (1) of this subsection.

13 (B) 25 per centum thereof shall be apportioned
14 among the States, and within each State among local
15 areas, in proportion to the relative number of children
16 through age five in each State and local area, respec-
17 tively; and

18 (C) 25 per centum thereof shall be apportioned
19 among the States, and within each State among local
20 areas, in proportion to the relative number of children
21 of working mothers and single parents in each State
22 and local area, respectively.

23 For the purposes of clauses (A) and (B) of this paragraph,

1 there shall be excluded those children who are counted under
2 clauses (A) and (B) of subsection (a) (1) of this section.
3 (3) Not to exceed 10 per centum of the total funds
4 allotted for use within a State pursuant to paragraph (2)
5 may be made available to enable States to carry out the
6 provisions of section 106 of this title.
7 (b) Any portion of any apportionment under subsec-
8 tion (a) for a fiscal year which the Secretary determines will
9 not be required, for the period for which such apportionment
10 is available, for carrying out programs under this title shall
11 be available for reapportionment from time to time, on such
12 dates during such period as the Secretary shall fix, to other
13 States or local areas on an equitable basis, taking into account
14 the original apportionments to the States and local areas.
15 Any amount reapportioned to a State or local area under
16 this subsection during a year shall be deemed part of its
17 apportionment under subsection (a) for such year.
18 (c) In determining the numbers of children for pur-
19 poses of allocating and apportioning funds under this section,
20 the Secretary shall use the most recent satisfactory data
21 available to him.
22 (d) As soon as practicable after funds are appropri-
23 ated to carry out this title for any fiscal year, the Secretary

- 1 shall publish in the Federal Register the allocations and apportionments required by this section.
- 2

**3 ADDITIONAL CONDITIONS FOR PROGRAMS INCLUDING
4 CONSTRUCTION OR ACQUISITION**

5 SEC. 109. (a) Applications for financial assistance for
6 projects including construction or acquisition may be ap-
7 proved only if the Secretary determines that construction or
8 acquisition of such facilities is essential to the provision of
9 adequate child care services, and that rental, lease or lease-
10 purchase, remodeling, or renovation of inadequate facilities is
11 not practicable.

12 (b) If any facility assisted under this title shall cease
13 to be used for the purposes for which it was constructed, the
14 United States shall be entitled to recover from the applicant
15 or other owner of the facility an amount which bears to the
16 then value of the facility (or so much thereof as constituted
17 an approved project) the same ratio as the amount of such
18 Federal funds bore to the cost of the facility financed with
19 the aid of such funds unless the Secretary determines in ac-
20 cordance with regulations that there is good cause for re-
21 leasing the applicant or other owner from the obligation to
22 do so. Such value shall be determined by agreement of the
23 parties or by action brought in the United States district
24 court for the district in which the facility is situated.

25 (c) All laborers and mechanics employed by contrac-

1 tors or subcontractors on all construction, remodeling, reno-
2 vation, or alteration projects assisted under this title shall
3 be paid wages at rates not less than those prevailing on simi-
4 lar construction in the locality as determined by the Secre-
5 tary of Labor in accordance with the Davis-Bacon Act, as
6 amended (40 U.S.C. 276a-276a-5). The Secretary of
7 Labor shall have with respect to the labor standards speci-
8 fied in this section the authority and functions set forth in
9 Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176)
10 and section 2 of the Act of June 13, 1934, as amended (40
11 U.S.C. 276c).

12 (d) In the case of loans for construction, the Secretary
13 shall prescribe the interest rate and the period within which
14 such loan shall be repaid, but such interest rates shall not
15 be less than 3 per centum per annum and the period within
16 which such loan is to be repaid shall not be more than
17 twenty-five years.

18 (e) The Federal assistance for construction may be in
19 the form of grants or loans, provided that total Federal
20 funds to be paid to other than public or private nonprofit
21 agencies and organizations will not exceed 50 per centum
22 of the construction cost, and will be in the form of loans.
23 Repayment of loans shall, to the extent required by the
24 Secretary, be returned to the prime sponsor from whose
25 financial assistance the loan was made, or used for additional

1 loans or grants under this title. Not more than 15 per centum
2 of the total financial assistance provided to a prime sponsor
3 under this title shall be used for construction of facilities,
4 with no more than 7½ per centum of such assistance usable
5 for grants for construction.

6 USE OF PUBLIC FACILITIES FOR CHILD DEVELOPMENT

7 PROGRAMS

8 SEC. 110. (a) The Secretary, after consultation with
9 other appropriate officials of the Federal Government, shall
10 within eighteen months after enactment of this Act report to
11 the Congress with respect to the extent to which facilities
12 owned or leased by Federal departments, agencies, and inde-
13 pendent authorities could be made available to public and
14 private nonprofit agencies and organizations, through ap-
15 propriate arrangements, for use as facilities for child care pro-
16 grams under this title during times and periods which not
17 utilized fully for their usual purposes, together with his rec-
18 commendations (including recommendations for changes in
19 legislation) or proposed actions for such use.

20 (b) The Secretary may require, as a condition to the
21 receipt of assistance under this title, that any prime sponsor
22 under this title agree to conduct a review and provide the
23 Secretary with a report as to the extent to which facilities
24 owned or leased by such prime sponsor, or by other agencies
25 in the prime sponsorship area, could be made available,

1 through appropriate arrangements, for use as facilities for
2 child development and family services programs under this
3 title during times and periods when not utilized fully for
4 their usual purposes, together with the prime sponsor's pro-
5 posed actions for such use.

6 **PAYMENTS**

7 Sec. 111. (a) In accordance with this section, the
8 Secretary shall pay from the applicable allocation or appor-
9 tionment under section 108 the Federal share of the costs
10 of programs, services, and activities, in accordance with
11 plans, program statements, or applications which have been
12 approved as provided in this title. In making such payment
13 to any prime sponsor, the Secretary shall include in such
14 costs an amount for staff and other administrative expenses
15 for the Child and Family Services Councils, local program
16 councils, and project policy committees, consistent with limi-
17 tations contained in this title.

18 (b) (1) Except as provided in paragraphs (2) and
19 (3) of this subsection, the Secretary shall pay an amount
20 not in excess of 90 per centum of the cost of carrying out
21 programs, services, and activities under this title. The Sec-
22 retary may, in accordance with such regulations as he shall
23 prescribe, approve assistance in excess of such percentage if
24 he determines that such action is required to provide ade-

- 1 quarterly for the child development and family services needs
- 2 of economically disadvantaged children.

3 (2) The Secretary shall pay an amount equal to 100

4 per centum of the costs of providing child development and

5 family services programs for children of migrant agricultural

6 workers and their families under this title.

7 (3) The Secretary shall pay an amount equal to 100

8 per centum of the costs of providing child development and

9 family services programs for children in Indian tribal orga-

10 nizations under this title.

11 (e) The non-Federal share of the costs of programs

12 assisted under this title may be provided through public or

13 private funds and may be in the form of cash, goods, services,

14 or facilities (or portions thereof that are used for program

15 purposes), reasonably evaluated, or union or employer con-

16 tributions. Fees collected for services shall not be used for

17 the non-Federal share, but shall be used by the project appli-

18 cant for the same purposes as payments under this section,

19 except that, in the case of projects assisted under a program

20 statement, such fees shall be turned over to the appropriate

21 prime sponsor for distribution in the same manner as the

22 prime sponsor's allocation under section 108(a) (2).

23 (d) If, with respect to any fiscal year, a prime spon-

24 sor or project applicant provides non-Federal contributions

25 or any program, service, or activity exceeding its require-

26 ments, such excess may be applied toward meeting the re-

1 requirements for such contributions for the subsequent fiscal
2 year under this title.

3 (e) No State or unit of general local government shall
4 reduce its expenditures for child care programs by reason of
5 assistance under this title.

6 **TITLE II—TRAINING, TECHNICAL ASSISTANCE,
7 PLANNING, AND EVALUATION**

8 **PRESERVICE AND INSERVICE TRAINING**

9 SEC. 201. The Secretary is authorized to make pay-
10 ments to provide financial assistance to enable individuals
11 employed or preparing for employment in child development
12 and family services programs assisted under this Act, includ-
13 ing volunteers, to participate in programs of preservice or
14 inservice training for professional and nonprofessional person-
15 nel, to be conducted by any agency carrying out a child de-
16 velopment and family services program, or any institution of
17 higher education, including a community college, or by any
18 combination thereof.

19 **TECHNICAL ASSISTANCE AND PLANNING**

20 SEC. 202. The Secretary shall, directly or through grant
21 or contract, make technical assistance available to prime
22 sponsors and to project applicants participating or seeking to
23 participate in programs assisted under this Act on a con-
24 tinuing basis, to assist them in planning, developing, and
25 carrying out child development and family services programs.

1 **TITLE III—SUPPORTIVE SERVICES AND
2 SPECIAL ACTIVITIES**

3 **SPECIAL RESPONSIBILITIES OF THE SECRETARY**

4 Sec. 301. (a) The Secretary is authorized to make an
5 evaluation of Federal involvement in activities and services
6 for children and families by contract with any public or
7 private agencies, organizations, and individuals. Prime spon-
8 sors and project applicants assisted under this Act and de-
9 partments and agencies of the Federal Government shall,
10 upon request by the Secretary, make available, consistent
11 with other provisions of law, such information as the Sec-
12 retary determines is necessary for purposes of making the
13 evaluation required under this subsection. The Secretary
14 shall reserve for the purposes of this subsection not less
15 than 1 per centum, and may reserve for such purposes not
16 more than 2 per centum, of the amounts available under
17 this Act for any fiscal year.

18 (b) The Secretary is authorized to carry out a program
19 of research and demonstration projects, which shall include
20 but not be limited to—

21 (1) research to determine the nature of child
22 development processes and the impact of various
23 influences upon them, to develop techniques to meas-
24 ure and evaluate child development, to develop stand-
25 ards to evaluate professional and paraprofessional child

1 development personnel, and to determine how child de-
2 velopment and family services programs conducted in
3 either home or institutional settings affect child develop-
4 ment processes;

5 (2) research to test preschool programs emphasizing
6 reading and reading readiness;

7 (3) preventive medicine and techniques and technology, including multiphasic screening and testing, to
8 improve the early diagnosis and treatment of diseases
9 and learning disabilities of preschool children;

10 (4) research to test alternative methods of pro-
11 viding child development and family services, and to
12 develop and test innovative approaches to achieve max-
13 imum development of children;

14 (5) evaluation of research findings and the de-
15 velopment of these findings and the effective applica-
16 tion thereof;

17 (6) dissemination and application of research and
18 development efforts and demonstration projects to child
19 development and family services and related programs
20 and early childhood education, using regional demon-
21 stration centers and advisory services where feasible;

22 (7) production of informational systems and other
23 resources necessary to support the activities authorized
24 by this Act;

1 (8) integration of national child development re-
2 search efforts into a focused national research program,
3 including the coordination of research and development
4 conducted by other agencies, organizations, and indi-
5 viduals.

6 (e) In carrying out this section, the Secretary shall
7 give priority to providing financial assistance for child devel-
8 opment and family services programs carried out by
9 multicounty local development districts established in the
10 Appalachian Regional Development Act of 1965, as
11 amended, or title V of the Public Works and Economic
12 Development Act of 1965, as amended.

13 (d) In order to carry out the program provided for in
14 this section, the Secretary is authorized to make grants to
15 or enter into contracts or other arrangements with public
16 or private nonprofit agencies (including other Government
17 agencies), organizations, and institutions, and to enter into
18 contracts with private agencies, organizations, institutions,
19 and individuals.

20 (e) (1) Funds available to any Federal department or
21 agency for the purposes of this title shall be available for
22 transfer, with the approval of the head of the department or
23 agency involved, in whole or in part, to the Secretary for
24 such use as is consistent with the purposes for which such
25 funds were provided, and the funds so transferred shall be

1 expendable by the Secretary for the purposes for which the
2 transfer was made.

3 (2) The Secretary shall coordinate, through the Office
4 of Child Development established under section 305 of this
5 title, all child development research, training, and develop-
6 ment efforts conducted within the Department of Health,
7 Education, and Welfare and, to the extent feasible, by other
8 agencies, organizations, and individuals.

9 (f) The Secretary is authorized to provide financial
10 assistance for the purpose of establishing and operating child
11 care programs (including the lease, rental, or construction
12 of necessary facilities and the acquisition of necessary equip-
13 ment and supplies) subject to the fullest extent practicable
14 to the requirements of section 105, for the children of em-
15 ployees of the Federal Government;

16 (g) The Secretary shall—

17 (1) conduct special demonstration experimental
18 and model programs, which demonstration, experimental
19 and model programs shall be subject to the fullest extent
20 practicable to each of the requirements with respect to
21 project applications under section 105;

22 (2) establish procedures to assure that adequate
23 nutrition services will be provided in programs conducted
24 under this Act, which services shall make use of the
25 special food service program for children as defined under

1 section 13 of the National School Lunch Act of 1946
2 and the Child Nutrition Act of 1966, to the fullest extent
3 appropriate and consistent with the provisions of such
4 Acts; and

5 (3) report to Congress not later than September 1,
6 1975, summarizing his activities and accomplishments
7 under this section during the preceding fiscal year and
8 the grants, contracts, or other arrangements entered into
9 and making such recommendations (including recom-
10 mendations for legislation) as he may deem appropriate.

11 FEDERAL STANDARDS FOR CHILD DEVELOPMENT AND
12 FAMILY SERVICES

13 Sec. 302. (a) Within six months after the enactment of
14 this Act, the Secretary shall, after consultation with other
15 Federal agencies and with the Committee established pur-
16 suant to subsection (e) of this section, promulgate a com-
17 mon set of program standards which shall be applicable
18 to all programs providing child development and family
19 services under this Act, to be known as the Federal Standards
20 for Child Development and Family Services. If the Secre-
21 tary disapproves the Committee's recommendations, he shall
22 state the reasons therefor.

23 (b) Such standards shall be consistent with the Fed-
24 eral Interagency Day Care Requirements as approved by

1 the Department of Health, Education, and Welfare, the
2 Office of Economic Opportunity, and the Department of
3 Labor on September 23, 1968.

4 (c) The Secretary shall, within sixty days after enact-
5 ment of this Act, appoint a Special Committee on Federal
6 Standards for Child Development and Family Services, which
7 shall include parents of children enrolled in Headstart, child
8 care and family services programs, representatives of public
9 and private agencies and organizations administering such
10 programs, specialists, and others interested in services for
11 children. Not less than one-half of the membership of the
12 Committee shall consist of parents of children participating
13 in programs conducted under this Act and section 222(a)
14 (1) of the Economic Opportunity Act of 1964 and title IV
15 of the Social Security Act. Such Committee shall participate
16 in the development of Federal Standards for Child Develop-
17 ment and Family Services and modifications thereof as pro-
18 vided in subsection (a).

19 (d) In no event shall any prime sponsor or program
20 or project receiving assistance under this Act reduce the
21 quality of services provided under this Act below the
22 standards established in this section and section 302, in
23 order to reduce expenditures per child or to extend services
24 to larger numbers of children.

1 DEVELOPMENT OF UNIFORM MINIMUM CODE FOR
2 FACILITIES

3 SEC. 303. (a) The Secretary shall, within sixty days
4 after enactment of this Act, appoint a special committee
5 to develop a uniform minimum code for facilities, to be used
6 in licensing child development and family services facilities
7 receiving assistance under this Act or in which programs re-
8 ceiving assistance under this Act are operated. Such standards
9 shall deal principally with those matters essential to the
10 health, safety, and physical comfort of the children, their
11 suitability for projected uses, and the relationship of such
12 matters to the Federal Standards for Child Development and
13 Family Services under section 302.

14 (b) The special committee appointed under this section
15 shall include parents of children participating in Headstart,
16 child care and other programs and representatives of State
17 and local licensing agencies, public health officials, fire pre-
18 vention officials, the construction industry and unions, public
19 and private agencies or organizations administering such
20 programs, and national agencies or organizations interested
21 in services to children and families. Not less than one-half of
22 the membership of the committee shall consist of parents of
23 children enrolled in programs conducted under title I and
24 section 222(a)(1) of the Economic Opportunity Act of
25 1964 and title IV of the Social Security Act.

1 (c) Within one year after its appointment, the special
2 committee shall complete a proposed uniform minimum code
3 for facilities and shall hold public hearings on the proposed
4 code prior to submitting its final recommendation to the Sec-
5 retary for his approval.

6 (d) After considering the recommendations submitted
7 by the special committee in accordance with subsection (c),
8 the Secretary shall promulgate standards which shall be
9 applicable to all facilities receiving Federal financial assist-
10 ance under this Act or in which programs receiving Federal
11 financial assistance under this Act are operated. If the
12 Secretary disapproves the committee's recommendations, he
13 shall state the reasons therefor. The Secretary shall also dis-
14 tribute such standards and urge their adoption by States and
15 local governments. The Secretary may from time to time
16 modify the uniform code for facilities in accordance with
17 procedures set forth in this section.

18 MORTGAGE INSURANCE FOR CHILD DEVELOPMENT

19 FACILITIES

20 SEC. 304. (a) It is the purpose of this section to assist
21 and encourage the provision of facilities for child develop-
22 ment and family services.

23 (b) For the purpose of this section—

24 (1) The term "child development facility" means a
25 facility of a public or private profit or nonprofit agency

1 or organization, licensed or regulated by the State (or,
2 if there is no State law providing for such licensing and
3 regulation by the State, by the municipality or other
4 political subdivision in which the facility is located), for
5 the provision of child development and family service
6 programs.

7 (2) The terms "mortgage", "mortgagor", "mort-
8 gagee", "maturity date", and "State" shall have the
9 meanings respectively set forth in section 207 of the
10 National Housing Act.

11 (c) The Secretary of Health, Education, and Welfare
12 is authorized to insure any mortgage (including advances
13 on such mortgage during construction) in accordance with
14 the provisions of this section upon such terms and conditions
15 as he may prescribe and make commitments for insurance
16 of such mortgage prior to the date of its execution or dis-
17 bursement thereon.

18 (d) In order to carry out the purpose of this section,
19 the Secretary of Health, Education, and Welfare is author-
20 ized to insure any mortgage which covers a new child de-
21 velopment facility, including equipment to be used in its
22 operation, subject to the following conditions:

23 (1) The mortgage shall be executed by a mortgagor, ap-
24 proved by the Secretary of Health, Education, and Welfare,
25 which demonstrates ability successfully to operate one or

1 more child development and family service programs. The
2 Secretary of Health, Education, and Welfare may in his dis-
3 cretion require any such mortgagor to be regulated or re-
4 stricted as to minimum charges and methods of financing,
5 and, in addition thereto, if the mortgagor is a corporate en-
6 tity, as to capital structure and rate of return. As an aid to the
7 regulation or restriction of any mortgagor with respect to
8 any of the foregoing matters, the Secretary of Health, Edu-
9 cation, and Welfare may make such contracts with and
10 require for not to exceed \$100 each stock or interest in such
11 mortgagor as he may deem necessary. Any stock or interest
12 so purchased shall be paid for out of the Child Development
13 Facility Insurance Fund, and shall be redeemed by the mort-
14 gagor at par upon the termination of all obligations of the
15 Secretary of Health, Education, and Welfare under the
16 insurance.

17 (2) The mortgage shall involve a principal obligation in
18 an amount not to exceed \$250,000 and not to exceed 90 per
19 centum of the estimated replacement cost of the property or
20 project, including equipment to be used in the operation of
21 the child development facility, when the proposed improve-
22 ments are completed and the equipment is installed.

23 (3) The mortgage shall—

24 (A) provide for complete amortization by periodic

1 payments within such term as the Secretary of Health,
2 Education, and Welfare shall prescribe, and

3 (B) bear interest (exclusive of premium charges for
4 insurance and service charges, if any) at not to exceed
5 such per centum per annum on the principal obligation
6 outstanding at any time as the Secretary of Health,
7 Education, and Welfare finds necessary to meet the
8 mortgage market.

9 (4) The Secretary of Health, Education, and Welfare
10 shall not insure any mortgage under this section unless he
11 has determined that the child development facility to be
12 covered by the mortgage will be in compliance with the
13 Uniform Minimum Code for Facilities approved by the
14 Secretary pursuant to section 303.

15 (5) The Secretary of Health, Education, and Welfare
16 shall not insure any mortgage under this section unless he
17 has also received from the prime sponsor designated under
18 title I of this Act a certificate that the facility is consistent
19 with and will not hinder the execution of the prime spon-
20 sor's plan.

21 (c) The Secretary of Health, Education, and Welfare
22 shall fix and collect premium charges for the insurance of
23 mortgages under this section which shall be payable annually
24 in advance by the mortgagor, either in cash or in debentures
25 of the Child Development Facility Insurance Fund (estab-

1 listed by subsection (h)) issued at par plus accrued interest.
2 In the case of any mortgage such charge shall be not less
3 than an amount equivalent to one-fourth of 1 per centum
4 per annum nor more than an amount equivalent to 1 per
5 centum per annum of the amount of the principal obligation
6 of the mortgage outstanding at any one time, without taking
7 into account delinquent payments or prepayments. In addi-
8 tion to the premium charge herein provided for, the Se-
9 cretary of Health, Education, and Welfare is authorized to
10 charge and collect such amounts as he may deem reasonable
11 for the appraisal of a property or project during construction:
12 but such charges for appraisal and inspection shall not
13 aggregate more than 1 per centum of the original principal
14 face amount of the mortgage.

15 (f) The Secretary of Health, Education, and Welfare
16 may consent to the release of a part or parts of the mort-
17 gaged property or project from the lien of any mortgage
18 insured under this section upon such terms and conditions as
19 he may prescribe.

20 (g) (1) The Secretary of Health, Education, and Wel-
21 fare shall have the same functions, powers, and duties (inso-
22 far as applicable) with respect to the insurance of mortgages
23 under this section as the Secretary of Housing and Urban
24 Development has with respect to the insurance of mortgages
25 under title II of the National Housing Act.

1 (2) The provisions of subsections (e), (g), (h), (i),
2 (j), (k), (l), and (n) of section 207 of the National Hous-
3 ing Act shall apply to mortgages insured under this section;
4 except that, for the purposes of their application with respect
5 to such mortgages, all references in such provisions to the
6 General Insurance Fund shall be deemed to refer to the Child
7 Development Facility Insurance Fund, and all references in
8 such provisions to "Secretary" shall be deemed to refer to the
9 Secretary of Health, Education, and Welfare.

10 (b) (1) There is hereby created a Child Development
11 Facility Insurance Fund which shall be used by the Secre-
12 tary of Health, Education, and Welfare as a revolving fund
13 for carrying out all the insurance provisions of this section.
14 All mortgages insured under this section shall be insured
15 under and be the obligation of the Child Development
16 Facility Insurance Fund.

17 (2) The general expenses of the operations of the De-
18 partment of Health, Education, and Welfare relating to
19 mortgages insured under this section may be charged to the
20 Child Development Facility Insurance Fund.

21 (3) Moneys in the Child Development Facility Insur-
22 ance Fund not needed for the current operations of the De-
23 partment of Health, Education, and Welfare with respect to
24 mortgages insured under this section shall be deposited with
25 the Treasurer of the United States to the credit of such fund,

1 or invested in bonds or other obligations of, or in bonds or
2 other obligations guaranteed as to principal and interest by,
3 the United States. The Secretary of Health, Education, and
4 Welfare may, with the approval of the Secretary of the
5 Treasury, purchase in the open market debentures issued
6 as obligations of the Child Development Facility Insurance
7 Fund. Such purchases shall be made at a price which will
8 provide an investment yield of not less than the yield obtain-
9 able from other investments authorized by this section. De-
10 bentures so purchased shall be canceled and not reissued.

11 (4) Premium charges, adjusted premium charges, and
12 appraisal and other fees received on account of the insurance
13 of any mortgage under this section, the receipts derived from
14 property covered by such mortgages and from any claims,
15 debts, contracts, property, and security assigned to the Se-
16 cretary of Health, Education, and Welfare in connection ther-
17 with, and all earnings on the assets of the fund, shall be
18 credited to the Child Development Facility Insurance Fund.

19 The principal of, and interest paid and to be paid on, deben-
20 tures which are the obligation of such fund, cash insurance
21 payments and adjustments, and expenses incurred in the han-
22 dling, management, renovation, and disposal of properties
23 acquired, in connection with mortgages insured under this
24 section, shall be charged to such fund.

25 (5) There are authorized to be appropriated to provide

1 initial capital for the Child Development Facility Insurance
2 Fund, and to assure the soundness of such fund thereafter,
3 such sums as may be necessary.

4 **OFFICE OF CHILD DEVELOPMENT**

5 Sec. 305. The Secretary shall take all necessary action
6 to coordinate child development and family service programs
7 under his jurisdiction. To this end, he shall establish within
8 the Office of the Secretary of the Department of Health,
9 Education, and Welfare an Office of Child Development,
10 administered by a Director, which office shall be the prin-
11 cipal agency of the Department for the administration of
12 this Act including research and evaluation and for the co-
13 ordination of programs including all child development and
14 family service research, training, and development efforts.

15 **SPECIAL COORDINATING COUNCIL**

16 Sec. 306. A Child Development Research Council, con-
17 sisting of a representative of the Office of Child Develop-
18 ment established under section 305 of this title (who shall
19 serve as chairman), and representatives from the Federal
20 agencies administering the Social Security Act and the Ele-
21 mentary and Secondary Education Act of 1965 and from the
22 National Institute of Mental Health, the National Institute
23 of Child Health and Human Development, the Office of
24 Economic Opportunity, the Department of Labor, and other
25 appropriate agencies, shall meet on a regular basis, as they

1 may deem necessary, in order to assure coordination of child
2 development and related family service activities under their
3 respective jurisdictions so as to assure—
4 (1) maximum utilization of available resources
5 through the prevention of duplication of activities;
6 (2) a division of labor, insofar as is compatible with
7 the purposes of each of the agencies or authorities speci-
8 fied in this paragraph, to assure maximum progress to-
9 ward the achievement of the purposes of this Act;
10 (3) the establishment and maintenance of an in-
11 formation bank to insure that each office or agency
12 of the Federal Government conducting child develop-
13 ment and family service, child care and related family
14 service activities is aware of the administrative actions
15 of other offices or agencies with respect to the provision
16 of financial assistance to eligible applicants; and
17 (4) recommendation of priorities for federally
18 funded research and development activities related to the
19 purposes of this Act.

20 SPECIAL PROVISIONS

21 SEC. 307. (a) The Secretary shall not provide financial
22 assistance for any program under this Act unless the grant,
23 contract, or agreement with respect to such program specif-
24 ically provides that no person with responsibilities in the
25 operation of such program will discriminate with respect to

- 1 any program because of race, creed, color, national origin,
- 2 sex, political affiliation, or beliefs.

3 (b) No person in the United States shall on the ground
4 of sex be excluded from participation in, be denied the bene-
5 fits of, be subjected to discrimination under, or be denied em-
6 ployment in connection with, any program or activity re-
7 ceiving assistance under this Act. The Secretary shall en-
8 force the provisions of the preceding sentence in accordance
9 with section 602 of the Civil Rights Act of 1964. Section
10 603 of such Act shall apply with respect to any action taken
11 by the Secretary to enforce such sentence. This section shall
12 not be construed as affecting any other legal remedy that a
13 person may have if that person is excluded from participa-
14 tion in, denied the benefits of, subjected to discrimination
15 under, or denied employment in connection with, any pro-
16 gram or activity receiving assistance under this Act.

17 (c) The Secretary may make such grants, contracts
18 or agreement, establish such procedures, policies, rules, and
19 regulations, and make such payments in installments and in
20 advance or by way of reimbursement, or otherwise allocate
21 or expend funds made available under this Act, as he may
22 deem necessary to carry out the provisions of this Act,
23 including necessary adjustments in payments on account of
24 overpayments or underpayments. Subject to the provisions
25 of section 308, the Secretary may also withhold funds other-

1 wise payable under this Act in order to recover any amounts
2 expended in the current or immediately prior fiscal year in
3 violation of any provision of this Act or any term or condi-
4 tion of assistance under this Act.

5 (d) The Secretary shall not provide financial assistance
6 for any program service, or activity under this Act unless
7 he determines that persons employed thereunder, other than
8 persons who serve without compensation, shall be paid wages
9 which shall not be lower than whichever is the highest of
10 (A) the minimum wage which would be applicable to the
11 employee under the Fair Labor Standards Act of 1938 (29
12 U.S.C. 206), if section 6(a)(1) of such Act applied to the
13 participant and if he were not exempt under section 13
14 thereof, (B) the State or local minimum wage for the most
15 nearly comparable covered employment, or (C) the pre-
16 vailing rates of pay for persons employed in similar occu-
17 pations by the same employer.

18 (e) The Secretary shall not provide financial assistance
19 for any program under this Act which involves political
20 activities; and neither the program, the funds provided there-
21 for, nor personnel employed in the administration thereof,
22 shall be, in any way or to any extent, engaged in the con-
23 duct of political activities in contravention of section 603,
24 of the Economic Opportunity Act of 1964.

25 (f) The Secretary shall not provide financial assistance

1 for any program under this Act unless he determines that
2 no funds will be used for and no person will be employed
3 under the program in the construction, operation, or mainte-
4 nance of so much of any facility as is for use for sectarian
5 instruction or as a place for religious worship.

6 (g) Prime sponsorship plans, program statements, an-
7 nual family service plans, project applications, and all writ-
8 ten material pertaining thereto shall be made readily avail-
9 able without charge to the public by the State, the prime
10 sponsor, the applicant, and by the Secretary.

11 WITHHOLDING OF GRANTS

12 Sec. 308. Whenever the Secretary, after reasonable
13 notice and opportunity for a hearing for any State, prime
14 sponsor, or project applicant, finds—

15 (1) that there has been failure to comply substan-
16 tially with agreements contained in the State annual
17 family service plan relating to coordination (in accord-
18 ance with section 106); or

19 (2) that there has been a failure to comply substan-
20 tially with any requirement set forth in the program
21 statement of any such prime sponsor approved under
22 section 105; or

23 (3) that there has been a failure to comply sub-
24 stantially with any requirement set forth in the applica-

1 tion of any such project applicant approved pursuant to
2 section 105; or
3 (4) that in the operation of any plan, program, or
4 project carried out by any such State, prime sponsor, or
5 project applicant or other recipient of financial assist-
6 ance under this Act there is a failure to comply substan-
7 tially with any applicable provision of this Act or regu-
8 lation promulgated thereunder;

9 the Secretary shall notify such State, prime sponsor, project
10 applicant, or other recipient of his findings and that no fur-
11 ther payments may be made to such State, sponsor, project
12 applicant, or other recipient under this Act (or in the Secre-
13 tary's discretion that any such prime sponsor shall not make
14 further payments under this Act to specified project appli-
15 cants affected by the failure) until he is satisfied that there is
16 no longer any such failure to comply, or the noncompliance
17 will be promptly corrected. The Secretary may authorize the
18 continuation of payments with respect to any project assisted
19 under this Act which is being carried out pursuant to such
20 plan or application and which is not involved in any
21 noncompliance.

22 FEDERAL CONTROL NOT AUTHORIZED

23 SEC. 309. No department, agency, officer, or employee
24 of the United States shall, under authority of this Act, exer-

- 1 exercise any direction, supervision, or control over, or impose any
- 2 requirements or conditions with respect to, the personnel,
- 3 curriculum, methods of instruction, or administration of any
- 4 educational institution.

5 **SPECIAL PROHIBITIONS AND PROTECTIONS**

6 Sec. 310. (n) (1) Nothing in this Act shall be construed
7 or applied in such a manner as to infringe upon or usurp the
8 moral and legal rights and responsibilities of parents or
9 guardians with respect to the moral, mental, emotional,
10 physical, or other development of their children. Nor shall
11 any section of this Act be construed or applied in such a
12 manner as to permit any invasion of privacy otherwise
13 protected by law, or to abridge any legal remedies for any
14 such invasion which are otherwise provided by law.

15 (2) The Secretary is directed to establish appropriate
16 procedures to insure that no child shall be the subject of
17 any research or experimentation under this Act unless the
18 parent or guardian of such child is informed of such research
19 or experimentation and is given an opportunity as of right
20 to except such child therefrom.

21 (3) A child participating in a program assisted under
22 this Act shall not be required to undergo medical or psy-
23 chological examination, immunization (except to the extent
24 necessary to protect the public from epidemics of contagious

1 diseases), or treatment if his parent or guardian objects
2 thereto in writing.

3 (b) The Secretary shall establish policies and proce-
4 dures, in accordance with regulations which he shall pre-
5 scribe, to assure that all programs and projects assisted under
6 this Act address, on a continuing basis, the individual needs
7 of and the appropriateness of child development services
8 for the very young and other children served—

9 (1) any program or project providing care outside
10 the home for very young children shall be reviewed and
11 evaluated periodically and frequently by the Secretary,
12 to insure that it meets the highest standards of quality;
13 and the Secretary may reserve such funds as he deems
14 necessary from funds available under this Act for the
15 purpose of evaluation, by appropriate persons, of pro-
16 grams under this Act in order to insure compliance
17 with subsections (a) and (b) of this section.

18 (2) no program or project described in clause (1)
19 of this subsection shall be approved for assistance under
20 this Act unless it is specifically authorized and approved
21 by the Secretary.

22 (c) (1) Upon determination that a prime sponsor or
23 project is in violation of one or more of the provisions of
24 this section, the Secretary shall give immediate public notice

1 of such determination to such prime sponsor or project and,
2 if such violation or violations have not been corrected, shall
3 commence action within ninety days of such determination
4 to withhold funds under section 308.

5 (2) Upon determination that a project is in violation
6 of one or more of the provisions of this section, the prime
7 sponsor shall give immediate notice of such determination
8 to such project and, if such violation or violations have not
9 been corrected, shall commence action within ninety days of
10 such determination to withhold funds under section 308.

11 REPEAL OR AMENDMENT OF EXISTING AUTHORITY AND
12 COORDINATION

13 SEC. 311. (a) In order to achieve, the greatest de-
14 gree feasible, the consolidation and coordination of programs
15 providing services for children, while assuring continuity
16 of existing programs during transition to the programs au-
17 thorized under this Act, the Economic Opportunity Act of
18 1964 is amended, effective July 1, 1975, as follows:

19 (1) Section 222 (a) (1) of such Act is repealed.

20 (2) Section 162 (b) of such Act is amended by insert-
21 ing after "day care for children" the following: "(wherever
22 feasible, through child care programs under the Comprehen-
23 sive Headstart, Child Development, and Family Services
24 Act of 1972)".

25 (3) Section 123 (a) (6) of such Act is amended by

1 inserting after "day care for children" the following:
2 " (wherever feasible, through child care programs under the
3 Comprehensive Headstart, Child Development, and Family
4 Services Act of 1972) ".

5 (4) Section 312(b) (1) of such Act is amended by
6 inserting after "day care for children" the following:
7 " (wherever feasible, through child care programs under
8 the Comprehensive Headstart, Child Development, and
9 Family Services Act of 1972) ".

10 (b) After consultation with the head of any agency
11 of the Federal Government immediately responsible for pro-
12 viding Federal assistance for child development and family
13 service, child care, and related programs, including Title I
14 of the Elementary and Secondary Education Act of 1965,
15 section 222(a) (2) of the Economic Opportunity Act of
16 1964, Title VII of the Housing and Urban Development Act
17 of 1966, Title I of the Demonstration Cities and Metropolitan
18 Development Act of 1966 and the Social Security Act, the
19 Secretary of Health, Education and Welfare shall establish
20 regulations to assure the coordination of all such programs
21 with the programs assisted under this Act.

22 (e) (1) Section 203(j) (1) of the Federal Property
23 and Administrative Services Act of 1949 is amended by
24 striking out "or civil defense" and inserting in lieu thereof

1 "civil defense, or the operation of child development
2 facilities".

3 (2) Section 203 (j) (3) of such Act is amended—

4 (A) by striking out, in the first sentence, "or
5 public health" and inserting in lieu thereof "public
6 health, or the operation of child development facilities".

7 (B) by inserting after "handicapped," in
8 clause (A) and clause (B) of the first sentence the
9 following: "child development facilities", and

10 (C) by inserting after "public health pur-
11 poses" and the second sentence the following: ", or
12 for the operation of child development facilities".

13 (3) Section 203 (j) of such Act is amended by adding
14 at the end thereof the following new paragraph:

15 "(8) The term 'child development facility' means any
16 such facility as defined in section 304(b) (1) of the Com-
17 prehensive Headstart, Child Development and Family Serv-
18 ices Act.".

19 TRANSITIONAL AUTHORITY

20 SEC. 312. (a) The application of the formula prescribed
21 by section 225(n) of the Economic Opportunity Act of
22 1964 for the allotment of funds among the States may be
23 waived by the Director of the Office of Economic Oppor-
24 tunity to the extent he deems necessary to prevent hardship
25 in the allotment of funds for programs under title II of such

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- 1 Act resulting from the discontinuance of the authorization
- 2 for section 222(a) (1) of such title by this Act.
- 3 (b) The Director of the Office of Economic Opportunity
- 4 may extend assistance under sections 221 and 222(a) of the
- 5 Economic Opportunity Act of 1964 to a community action
- 6 agency or other agency which is in excess of the maximum
- 7 prescribed in section 225(c) of such Act, if he determines,
- 8 in accordance with such regulations as he shall prescribe,
- 9 that the ability of such agency to provide its share of the pro-
- 10 grams costs pursuant to such section 225(c) has been im-
- 11 paired by virtue of the discontinuance of the authorization
- 12 for section 222(a) (1) of such Act to an extent which justi-
- 13 fies such additional assistance.

14 ACCEPTANCE OF FUNDS

- 15 See, §13. In carrying out the purposes and provisions of
- 16 this Act, the Secretary is authorized to accept and utilize
- 17 funds appropriated to carry out other provisions of Federal
- 18 law if such funds are utilized for the purposes for which they
- 19 are specifically authorized and appropriated.

SECTION-BY-SECTION ANALYSIS

Section 1. Short Title

This section provides that the legislation may be cited as the "Comprehensive Headstart, Child Development, and Family Services Act of 1972".

Section 2. Statement of Findings and Purpose

This section sets forth the congressional findings concerning the need for child development and family services and the purpose to assist parents who request such services in providing their children with an opportunity for a healthful and stimulating development.

Section 3. Authorization of Appropriations

Subsection (a) authorizes the appropriation of \$1.2 billion for fiscal year 1974 and \$1.6 billion for fiscal year 1975 for carrying out this Act. Any unobligated amounts at the end of such fiscal year may be obligated in the succeeding fiscal year.

Subsection (b) authorizes the appropriation of \$150 million for fiscal year 1973 for the purpose of providing training, technical assistance, planning, and such other activities as the Secretary deems appropriate to prepare for the implementation of this title.

Subsection (c) provides that the amounts appropriated under subsection (a) shall be made available as follows:

The amount of \$500 million shall be for the purpose of providing assistance under title I of this Act for child development programs focused upon young children from low-income families, with priority for Headstart projects.

Up to 15 percent of the amounts which remain thereafter may be made available, as the Secretary of Health, Education, and Welfare deems appropriate, for titles II and III of this Act, but not to exceed 5 percent of such remaining amounts shall be used for title III.

The remainder of the appropriation is to be used for carrying out title I.

Subsection (d) sets forth advance funding authority.

Section 4. Definitions

This section defines terms used in the Act.

TITLE I—HEADSTART, CHILD DEVELOPMENT, AND FAMILY SERVICES PROGRAMS

Section 101. Programs Assisted

This section provides that the Secretary of Health, Education, and Welfare shall provide financial assistance for carrying out child development and family services programs under this title to prime sponsors and to other public and private nonprofit agencies and organizations pursuant to plans, program statements, and applica-

tions approved in accordance with this title. The purposes for which financial assistance may be used are set forth in this section.

Section 102. State and Local Prime Sponsors

Subsection (a) provides that a State, a unit or combination of units of general local government of at least 25,000 population or, if less, which demonstrates capability and a particular need, an Indian tribal organization, or a public or private nonprofit agency may be designated as a prime sponsor of child development and family service programs in accordance with the provisions of the legislation upon approval by the Secretary of a prime sponsorship plan.

Subsection (b) provides that the plan must provide for a child and family services council, must provide assurances that staff and other administrative expenses of the council and local program councils and project policy committees will not exceed percent of the total cost of child development programs administered by the prime sponsor (unless increased to reflect higher start-up costs or other special needs), and must provide assurances to provide or to enter into arrangements with appropriate State or local or other agencies for linkages to provide services related to child development.

Subsection (b)(8) provides that, in the case of a State applicant for designation as prime sponsor of areas not served by a local prime sponsor, the plan must also provide for designating local family service areas serving the area of one local government or of units of local government serving not more than 50,000 population unless Secretary allows area of up to 100,000 population. For each local family service area, a local program council must be maintained consisting of at least half parents and the remainder public members appointed by the local government official. These local program councils participate in developing and approve the State's program statement for the area and arrangements for projects in the area.

Subsection (c) provides that any local program council may appeal directly to the Secretary when it alleges a failure to comply with the program statement or the provisions of the Act.

Subsection (d)(1) provides that the Secretary shall approve a satisfactory State prime sponsorship plan for areas not served by local prime sponsors.

Subsection (d)(2) authorizes the Secretary to designate five States to carry out demonstration projects as Statewide prime sponsors, even with respect to localities which would otherwise qualify as local prime sponsors. No State with a population of 5 percent of the national population or more could be so designated.

Subsection (e) provides that the Secretary shall approve a prime sponsorship plan submitted by a city or county or other unit of general local government if it meets the requirements of subsection (a) and has a population of 25,000 or more. The Secretary has discretion to choose either a city or a county as prime sponsor for an area which covers a common geographical area.

Subsection (f) provides that the Secretary shall approve a prime sponsorship plan submitted by a combination of localities if the plan meets the requirements of subsection (a) and has a population of 25,000 or more.

Subsection (g) provides that the Secretary shall approve a prime sponsorship plan submitted by an Indian tribal organization if the plan meets the requirements of subsection (a).

Subsection (h) provides that the Secretary may approve a prime sponsorship plan submitted by a unit or combination of units of general local government or a public or private nonprofit agency if he determines that the plan includes provisions setting forth arrangements for serving children in a neighborhood which is not covered by a prime sponsor or in any portion of an area where the prime sponsor is not satisfactorily implementing child development programs, or for making available special services designed to meet the needs of economically disadvantaged or preschool children. He may also approve such a prime sponsorship plan setting forth arrangements for providing comprehensive child development programs on a year-round basis to children of migrant agricultural workers, or arrangements for carrying out model programs, especially projects for economically disadvantaged, minority group, or bilingual preschool children.

Subsection (i) provides that the Governor of the State shall be given between thirty and sixty days to review and make recommendations on prime sponsorship plans submitted under this section.

Subsection (j) provides that a prime sponsorship plan may be disapproved or a prior designation of a prime sponsor may be withdrawn only if the Secretary provides written notice, a reasonable time for corrective amendments or action, and an opportunity for a hearing upon which an appeal to the Secretary may be based.

Subsection (k) provides for review by the court of appeals of the Secretary's final action with respect to prime sponsorship under subsection (j).

Subsection (l) provides that the Secretary shall approve the application of an alternate unit of Government or a public or nonprofit agency or organization in the area representing the interests of minority and economically disadvantaged persons where any unit of general government or other prime sponsor is practicing discrimination against minority group or economically disadvantaged children.

Subsection (m) provides that the Secretary may directly fund programs, including those in rural areas without regard to population, where he deems it necessary, in the event that a State, or unit or combination of units of general local government, or Indian tribal organization has not submitted or the Secretary has not approved a program statement under this section, or where a prime sponsorship designation is not in effect, or where the needs of migrants, preschool-age children, or the children of working mothers or single parents, minority groups, or the economically disadvantaged are not being served.

Section 103. Child and Family Services Councils

Subsection (a) provides that each prime sponsor shall establish and maintain a Child and Family Services Council consisting of not less than 10 members half of whom must be parents of children served in programs under this Act and the remainder of whom are to be appointed by the prime sponsor's chief executive or governing body to represent the public.

(Half of the public representatives must be persons broadly representative of the general public including community agencies and organizations, and the remaining members must be persons who are skilled in child development, child health, child welfare, or other child services.)

Subsection (b) provides that, in accordance with regulations which the Secretary shall establish pursuant to regulations, each prime sponsor shall provide that the parent members of child development councils shall be chosen by the membership of local program councils described in section 102(b)(8), in the case of State prime sponsors, and participants in federally assisted day care programs especially Headstart, in the case of local prime sponsors. Not less than one-third of the total membership of such council shall be persons broadly representative of the economically disadvantaged. The council is entitled to approve program statements, basic goals, policies, actions, and procedures, and the selection or establishment and annual renewal of the administering agency or agencies, for the prime sponsor. The council shall, upon its own initiative or upon request of a project applicant or any other party in interest, conduct public hearings before acting upon applications for financial assistance submitted by project applicants.

Section 104. Program Statements

Subsection (a) provides that financial assistance to a prime sponsor may be provided for any particular fiscal year only pursuant to a program statement approved by the Secretary. Provisions which such program statement are to include are set forth in this subsection. Among these provisions are the requirements that not less than 65 percent of the financial assistance from apportionments under section 3(c)(3) must be used for programs and services for economically disadvantaged children; and that priority thereafter must be given to other children of single parents and working mothers.

Subsection (b) provides that no program statement shall be approved unless opportunities to submit comments to the prime sponsor and to the Secretary have been provided to each community action agency or single-purpose Headstart agency previously responsible for a Headstart program, to the local educational agency and other appropriate educational and training agencies and institutions, and the Governor of the State.

Subsection (c) provides that a program statement may be disapproved or a prior approval withdrawn only if the Secretary has provided written notice, reasonable time for corrective amendments or action, and an opportunity for a public hearing upon which an appeal may be heard.

Subsection (d) provides that the Secretary shall establish procedures to permit prime sponsors to submit jointly a single program statement for the areas served by such prime sponsors.

Section 105. Project Applications

Subsection (a) provides that financial assistance may be provided to a project applicant for any particular fiscal year if the project application is submitted by a public or private nonprofit agency and contains other provisions set forth in this subsection. Among these provisions are requirements that funds be provided only to qualified public or private agencies and that project policy committees be established and maintained. Such project policy committees must consist of not less than 10 members and half must be parents of children served in such projects and the remaining half shall be comprised of persons who are representative of the community approved by the parent members and one person who is skilled in child

development. Project policy committees must participate directly in the development and preparation of project applications and have responsibility for approving basic goals, policies, actions, and procedures for the project applicant. The bill provides that no charges be made to families with an annual income equal to or less than \$4,320, with adjustments in the case of families with more than two children. Charges for other families may be made in accordance with a fee schedule established by the Secretary based on ability to pay. However, such fees may not exceed 10 percent of the difference between the free services level and 85 percent of the lower living standard budget, and then 15 percent of any income between that level of 85 percent of the lower living standard budget and 100 percent of the lower living standard budget.

Subsection (b) requires that the project application otherwise further the objectives and satisfy the requirements of the prime sponsor's program statement.

Subsection (c) provides that a public or private nonprofit agency which is a prime sponsor shall submit a project application directly to the Secretary.

Subsection (d) provides that a prime sponsor may disapprove a project application only if it provides a statement of reasons to the applicant and that the project applicant may appeal to the Secretary for direct approval thereof.

Subsection (e) provides that a project application submitted to the Secretary by a public or private agency may be approved upon the Secretary's determination that it meets the statutory requirements.

Section 106. Annual Family Service Plans

This section provides that, upon submission of an annual family service plan by any State, the Secretary is authorized to provide financial assistance for carrying out activities for the purposes of determining child development and family service goals and needs, assisting in the establishment of Child and Family Service Councils, and strengthening their capabilities, and arrangements under which State agencies assist in providing child development and related services where requested by prime sponsors in the development and implementation of program statements.

Section 107. Special Cooperative Programs with Educational Agencies and Other Project Sponsors.

This section provides that the Secretary shall use funds made available under section 108(a)(1)(E) to provide assistance to educational agencies and institutions for cooperative programs designed to provide continuity between preschool, after school, and other educational programs.

Section 108. Allocation of Funds.

Subsection (a)(1) provides that, of the amounts available for this title, the Secretary shall reserve the following:

For apportioning among programs for children of migrant agricultural workers, not less than that proportion of the total amounts available for this title, as the proportion which the number of such children bears to the number of economically disadvantaged;

For apportioning among programs for children on Federal and State Indian reservations, not less than that proportion of the

total amounts available for this title as the proportion which the number of such children bears to the number of economically disadvantaged children;

For special activities for handicapped children, not less than 10 percent of the total amount available for this title; and

For model programs, not to exceed 5 percent of the total amounts available for this title.

For special cooperative programs with educational institutions, not to exceed 5 percent of the total amounts available for this title.

Subsection (a)(2) provides that the amounts remaining after such reservations shall be allocated by the Secretary to the extent practicable so that such funds shall be apportioned among the States and localities within each State as follows: 50 percent in proportion to the relative numbers of economically disadvantaged children, 25 percent in proportion to the relative numbers of children up to age 6, and 25 percent in proportion to the relative numbers of children of working mothers and single parents.

Subsection (a)(3) provides that not to exceed 10 percent of the total funds allotted for use within a State may be made available to the State to carry out its annual family service plan under section 106.

Subsection (b) provides for reapportionment of unused apportionments.

Section 109. Additional Conditions for Programs Including Construction or Acquisition.

This section provides that applications for financial assistance for projects including construction may be approved only if the Secretary determines that construction of such facilities is essential to the provision of adequate child development services, and that rental, lease or lease-purchase, renovation, or remodeling of adequate facilities is not practicable. Federal assistance for construction may not exceed 50 percent of cost in the case of funds to be paid to other than public or private nonprofit agencies and organizations. A maximum of 15 percent of a prime sponsor's total financial assistance may be used for construction.

Section 110. Use of Public Facilities for Child Development Programs.

This section requires reports as to the extent to which facilities owned or leased by Federal agencies and other agencies may be available for child development programs during times when such facilities are not being utilized fully for their usual purposes.

Section 111. Payments.

This section sets forth the Federal share provisions. A Federal share of 90 percent is provided for child development programs ordinarily, but the Secretary has discretion to exceed that percentage and he is required to pay 100 percent of programs for migrants and Indians.

TITLE II—TRAINING, TECHNICAL ASSISTANCE PLANNING, AND EVALUATION

Section 201. Preservice and Inservice Training.

This section authorizes the Secretary to provide financial assistance for preservice or inservice training for professional and nonprofessional personnel.

Section 202. Technical Assistance and Planning.

This section provides that the Secretary shall make technical assistance available to prime sponsors and project applicants to assist them in planning, developing, and carrying out child development programs.

TITLE III—SUPPORTIVE SERVICES AND SPECIAL ACTIVITIES*Section 301. Special Responsibilities of the Secretary.*

Subsection (a) provides that the Secretary shall make an evaluation of Federal involvement in child development activities and services. The Secretary must reserve 1 percent, and may reserve up to 2 percent, of the funds under this Act for the evaluations required by this section.

Subsection (b) provides that the Secretary shall carry out research and demonstration projects, including research on the nature of child development processes, research to test alternative methods of providing child development and related services, evaluation of research findings, and the dissemination and application of research and development efforts.

Subsection (c) provides that the Secretary shall give priority in assisting research and demonstration projects to programs carried out by multicounty local development districts under the Appalachian Regional Development Act and the Public Works and Economic Development Act.

Subsection (d) authorizes the Secretary to make grants in contracts with public or private nonprofit agencies to carry out research and demonstration projects under this section.

Subsection (e) authorizes the transfer with the approval of other agency heads, of funds to the Secretary for research purposes under this part, provides that the Secretary shall through the Office of Child Development coordinate all child development research, training, and development efforts conducted within the Department of Health, Education, and Welfare.

Subsection (f) authorizes financial assistance for child development and family service programs for the children of employees of the Federal Government.

Subsection (g) provides that the Secretary of Health, Education, and Welfare shall establish procedures to assure that adequate nutrition services will be provided in child development programs under this Act. Such services shall make use of the special food service program for children as defined in section 13 of the National School Lunch Act of 1946 and the Child Nutrition Act of 1966, to the fullest extent appropriate and consistent with such acts.

Section 302. Federal Standards for Child Development and Family Services

This section provides that the Secretary shall promulgate a common set of program standards to be applicable to all programs providing child development services with Federal assistance under this title, to be known as the Federal Standards for Child Development Services. Such standards shall be consistent with the Federal Interagency Day Care Requirements. A special Committee on Federal Standards for Child Development Services, consisting of parents and child development experts, is to be established for the purpose of participating in the development of such standards.

Section 303. Development of Uniform Minimum Code for Facilities.

This section provides for a special committee to develop a uniform minimum code for facilities, to be used in licensing child development facilities dealing principally with matters of health, safety, and physical comfort. Upon approval by the Secretary, standards contained in the code are to be applicable to all projects assisted under this Act.

Section 304. Mortgage Insurance for Child Development Facilities.

This section establishes a program of mortgage insurance for child development facilities, to be administered by the Secretary of Health, Education, and Welfare.

Section 305. Office of Child Development.

This section provides for the Office of Child Development to be the principal agency in the Department of Health, Education, and Welfare for the administration of this title and for the coordination of programs and other activities relating to child development and family service research, training, and development efforts.

Section 306. Special Coordinating Council.

This section establishes by statute the Child Development Research Council.

Section 307. Special Prohibitions.

This section contains administrative provisions of the same kind usually set forth in similar legislation.

Section 308. Withholding of Grants.

This section provides that the Secretary may withhold funds for failure to comply with requirements of this Act after notice and opportunity for a hearing.

Section 309. Federal Control Not Authorized.

This section sets forth the prohibition against Federal control of education.

Section 310. Special Prohibitions and Protections.

This section provides that nothing in this Act shall infringe upon parental rights and directs the Secretary to establish procedures to insure that no child shall be the subject of research or experimentation under this Act unless the child's parent or guardian is informed and has the opportunity to except such child therefrom. This section also provides that the Secretary shall assume that programs providing care outside the home for very young children shall be reviewed periodically and frequently by the Secretary and that no such program shall be approved for assistance unless it is specifically authorized and approved by the Secretary.

Section 311. Repeal or Amendment of Existing Authority and Coordination.

This section provides for repealing, effective July 1, 1975, the authorization for Headstart and provides that where day care authorized elsewhere in the Economic Opportunity Act shall be provided, wherever feasible, through child care programs under this Act.

Section 312. Transitional Authority.

This section permits the Director of the Office of Economic Opportunity to waive allotment and Federal share provisions under title II of the Economic Opportunity Act to relieve hardship resulting from the failure to continue the authorization for Headstart under the current section 222(a)(1) when this Act takes effect.

Section 313. Acceptance of Funds.

This section authorizes the Secretary to accept, for use under this Act, funds appropriated to carry out other laws if such funds are utilized for the purposes for which they are specifically authorized and appropriated.

O